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# LOK SABHA DEBATES

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LOK SABHA SECRETARIAT
NEW DELHI

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## LOK SABHA

*Monday, June 1, 1964/Jyaistha 11, 1886 (Saka)*

*The Lok Sabha met at Eleven of the Clock.*

[MR. SPEAKER *in the Chair*]

### MEMBER SWORN

**(Shri Shiv Sharan Mathur)**

**Mr. Speaker:** Secretary may call out the name of the Member who has come to make and subscribe the oath or affirmation under the Constitution.

**Secretary:** Shri Shiv Charan Mathur.

**Mr. Speaker:** The Minister of Parliamentary Affairs may introduce the Member to the House.

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** Sir, I have great pleasure in introducing to you and through you to the House, Shri Shiv Charan Mathur who has been returned to Lok Sabha from Bhilwara constituency of Rajasthan in the vacancy caused by the resignation of Dr. K. L. Shrimali.

Shri Shiv Charan Mathur (Bhilwara).

### ORAL ANSWERS TO QUESTIONS

**Indians in Burma**

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*62. **Shri P. K. Deo:**
**Shri Harish Chandra Mathur:**
**Shri Prakash Vir Shastri:**
**Shri S. M. Banerjee:**
**Shri Mohan Swarup:**
**Shri Onkar Lal Berwa:**
**Shri Gokaran Prasad:**
**Shri Gokulananda Mohanty:**
**Shri A. S. Saigal:**
**Shri P. Venkatasubbaiah:**
**Shri P. R. Chakraverti:**
**Shrimati Savitri Nigam:**
**Shri Bishanchander Seth:**
**Shri Rameshwar Tantia:**
**Shri Dhaon:**
**Shri P. C. Borooah:**
**Shri Maheswar Naik:**
**Shri Bishwanath Roy:**
**Shri Bal Krishna Singh:**
**Shri Hukam Chand Kachhavaiya:**
**Shri Indrajit Gupta:**
**Shri S. N. Chaturvedi:**
**Shri Ram Harkh Yadav:**
**Shri Veerappa:**
**Shri Dharmalingam:**
**Shri Ramanathan Chettiar:**
**Shri Kolla Venkaiah:**
**Shri Hari Vishnu Kamath:**

Will the **Prime Minister** be pleased to state:

(a) the number of Indians so far migrated from Burma since the nationalisation of shops by the Burma Government;

(b) State-wise break-up of these Indians;

(c) whether they have been able to repatriate their assets from Burma;

(d) the arrangements made by the Government of India for their transportation; and

(e) the steps taken by Government to mitigate the genuine difficulties of Indians affected by the various measures undertaken by the Burmese Government?

**The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh):** (a) Approximately 1,000 Indian nationals have returned from Burma to India since the nationalisation of shops by the Government of Burma.

(b) Exact State-wise figures are not available, but the large majority of them belong to the States of Andhra, Madras and Orissa.

(c) With the exception of limited quantities of personal effects and very small amounts of foreign exchange, Indian nationals leaving Burma are not permitted to carry with them jewellery, valuables, cash, etc.

(d) The Indian Airlines Corporation will shortly be increasing the number of flights between Calcutta and Rangoon. Two or three ships will ply, from about the middle of July, between the ports of Rangoon and Madras|Vishakhapatnam.

(e) The Government of India are actively discussing with the Government of Burma about expeditious completion of departure formalities, payment of fair compensation for nationalised property and transfer of assets to India.

**Shri P. K. Deo:** While some time back we got the heartening news that the Indian chancery at Rangoon acted as the custodian for the jewels and other valuable of Indian nationals coming away from Burma for good, may I know why this has been stopped since the visit of Mr. Gundevia, Foreign Secretary, to Rangoon lately?

**Shri Dinesh Singh:** This has been temporarily suspended, pending arrangements to be made to keep this jewellery. It is a large amount that is likely to be given over to the Embassy, and various arrangements have to be made in the vault of the bank there, and we are discussing it with the Burma Government.

**Shri P. K. Deo:** While the Chinese shops are not nationalised, is it a fact that the stores of various Indian motor spare parts dealers' shops and plumbers' shops have been nationalised, and their stores have been classified as scrap iron? Has the Government received any representation on their behalf?

**Shri Dinesh Singh:** The nationalisation affects all foreigners. There is no discrimination against Indians. It is true that large shops in hardware and motor parts are in the category of shops that have been nationalised. I do not know whether they have classified stores as scrap.

**Shri Harish Chandra Mathur:** The Minister of State in the Ministry of External Affairs, it was reported, was to visit Burma. In this connection, may I know what stood in the way of her going there, and why only the Secretary had to go there? What are the major issues discussed by him and what is the outcome of the discussions with the Burma Government?

**Shri Dinesh Singh:** The visit of the Minister was only in newspaper reports. The visit was not finalised, and it was felt that the Foreign Secretary should go there to look into the problems of the people who were coming. The details of the talks he has had with the Burmese Government it would not be desirable to disclose at this juncture.

**Shri Harish Chandra Mathur:** What are the major issues which are being discussed, and what is the outcome?

**Shri Dinesh Singh:** The major issues obviously are about the people of Indian origin in Burma and those who are Indian nationals, about their coming, compensation for the assets that have been nationalised, travel formalities, provision of exchange to bring back their money—these are the main points.

**Shri S. M. Banerjee:** May I know whether the total number of those who are likely to be repatriated or want repatriation has been ascertained, and if so the number, and the steps taken by the Government to rehabilitate them in India?

**Shri Dinesh Singh:** I mentioned the number that have already come back in the main reply. About those that are likely to come back, it is very difficult to give any exact number,

because it will depend on how these formalities are completed, but it may run into six figures. We are making arrangements for the transport, as I mentioned. Regarding repatriation, that is a matter that is being looked into.

**श्री ओंकार लाल बेरवा** : मैं जानना चाहूंगा कि जब बर्मा सरकार ने दूकानों का राष्ट्रीयकरण किया था तो क्या उसने भारत सरकार को भी कोई ऐसी सूचना दी थी, और भारत सरकार ने इस सम्बन्ध में भारतीयों के बारे में कोई उपाय सोचा था ?

**श्री दिनेश सिंह** : भारत सरकार को सूचना देने की आवश्यकता नहीं है । यह उनका अपना मामला है ।

**Shri P. Venkatasubbaiah:** May I know whether it is a fact that an impression has gained ground after Mr. Gundevia went to Burma and had negotiated with the Burmese Government regarding the transfer of jewellery and other deposits that had been kept in our Embassy to the Bank of Burma, that matters have worsened further and that the interests of Indians are at stake; if so, what further steps are being taken?

**Shri Dinesh Singh:** I would not say the situation has worsened. It has improved.

**Shri P. R. Chakraverti:** May I know whether it is a fact that the Burmese Government has given an assurance to Mr. Gundevia that they will look into this question very carefully, and if so, the nature of the assurance?

**Shri Dinesh Singh:** As I mentioned, it would not be desirable to discuss the matter just now.

**Shrimati Savitri Nigam:** May I know how many applications have been received by the Indian Embassy from the people of Indian origin or Indian nationals who are very keen to come back, and what would be the property which will be left by them there?

**Shri Dinesh Singh:** I could not offhand give the number. As I mentioned, our estimate runs into six figures. I could not give any estimate of the property.

**Shrimati Savitri Nigam:** I want the number of applications, it is a very simple matter.

**Shri Dinesh Singh:** I have not got the figures here.

**श्री रामेश्वर टांटिया** : इस समय बर्मा में कितने भारतीय हैं और वहां पर भारतीयों की कितनी सम्पत्ति है । सरकार इस सम्बन्ध में क्या कर रही है । कैसे उस सम्पत्ति को ले कर वे यहां आयेंगे । इस पर सरकार क्या विचार कर रही है ।

**अध्यक्ष महोदय** : वहां पर कितने भारतीय हैं और कितनी सम्पत्ति है ।

**Shri Dinesh Singh:** It is very difficult to say how many Indians there are. People of Indian origin we estimate are about 5½ lakhs. Out of this, Indian citizens are only about two lakhs.

**Shri P. C. Borooah:** May I know whether it is a fact that at a time when the sufferings of the Indians living in Burma are extreme, the Ambassadorship of Burma is lying vacant and going abegging? May I know whether he is going to be posted soon, so that he can ameliorate the conditions of Indians there.

**Mr. Speaker:** At the most, it is a suggestion.

**Shri Bishwanath Roy:** May I know whether the Government of India has tried to ascertain the value of the property that has been seized by the Burmese Government, and if so, what might be the value?

**Shri Dinesh Singh:** I have not got the figures. Property has not been seized, but nationalised, for which claims will be filed by the people themselves.

श्री हुकम चन्द कछवाय : मैं जानना चाहता हूं कि जो भारतीय बर्मा से आकर यहां पर बसे उन को बसाने का जो खर्च होगा उस के सम्बन्ध में बर्मा सरकार से कितना खर्च लिया जायेगा और जो बातचीत इस सम्बन्ध में चल रही है वह कब तक पूरी हो जायेगी ।

श्री दिनेश सिंह : उन को बसाने का खर्च लेने का हमारा कोई इरादा नहीं है ।

**Shri Indrajit Gupta:** Is there any truth in the report that these nationalisation measures of the Burmese Government are affecting people who are Burmese nationals, who happen to be of Indian origin, and have any such representations come to the notice of the Government on their behalf?

**Shri Dinesh Singh:** I am not aware of the laws affecting people who are Burmese citizens; these talks are mainly meant for these effecting foreigners.

**Shri S. N. Chaturvedi:** Was there any impropriety in our embassy in Burma accepting the deposits from the Indian nationals whose properties were confiscated and, if not, why have the Government stopped accepting them further?

**Shri Dinesh Singh:** No impropriety at all is there. It is within the international conventions that they were accepted. We have not stopped it: We have suspended it pending finalisation of the arrangements.

**Shri Ramanathan Chettiar:** Have the Government of India enquired why the Government have suddenly put a ban on Indians leaving Burma and what steps have Government taken to bring to the notice of the Government of Burma to lift this ban in order that the Indian nationals who are dispossessed shopkeepers can leave Burma?

**Shri Dinesh Singh:** There is no ban as such; they have got to complete certain formalities such as P form and D form and income-tax clearance.

**Shri Hari Vishnu Kamath:** To what extent are the reports correct that the Chinese Government and its agents are whipping up anti-Indian feeling and sentiment in Burma?

**Shri Dinesh Singh:** I could not say but this applies also to the people of Chinese origin there..... (*Interruptions*).

**Mr. Speaker:** The order applies equally to all.

**Shri Hari Vishnu Kamath:** The order may apply but my question was different.

**Shri H. P. Chatterjee:** The Minister is aware that a large number of Indians have been thrown out of their houses after their properties had been seized and their business had closed down. These men are on the streets. That was witnessed even by the delegation that went to Andamans when they went there. These men are being chased by the police on the streets and they are in acute suffering. What is their number and what is the Government doing to alleviate their condition?

**Shri Dinesh Singh:** Government is making arrangements for all these people who are destitutes. I cannot give the number offhand.

**Shri Nath Pai:** Has Government's attention been drawn to editorial comments in two Burmese dailies that, since the Indian Embassy is accepting jewellery of the Indian nationals that embassy itself should be nationalised and whether the seriousness of these suggestions and this kind of propaganda has been taken note of and whether this matter had taken place when the Secretary was there and what was done to bring it to the attention of the Burmese Government?

**Shri Dinesh Singh:** I believe it has stopped now..... (*Interruptions.*)

**Mr. Speaker:** It could not be believed that the embassy would be nationalised.

**Shri Nath Pai:** It was an editorial comment.

**Shri Ranga:** In view of the fact that Government have promised during the last session that they were making arrangements for more ships and more planes to be made available for these people to be brought over here, how is it that the Government now says that these things would be available only in July while they were suffering during the whole of May and they will be made to suffer during the whole of June? Why is it that they had not taken more expeditious steps to help these people to go over here earlier?

**Shri Dinesh Singh:** The sending of ship has to be co-ordinated with the number of people that will be coming back. Unless the formalities are completed and they are able to come, there is no point in sending ships to come back empty.

**Shri H. N. Mukerjee:** Would Government give us some idea as to the number of people who are actually yearning to come back to India and the number of people whom Government can provide facilities for bringing back to India in the near future?

**Shri Dinesh Singh:** We are hoping to bring back all those Indian nationals who wish to come back. It is impossible to give the number precisely because there may be cases of people who want to come today and tomorrow when the situation may change suddenly they may wish to stay back. It is difficult to give the number. But as I said earlier, it will be running into six figures—about a lakh or so.

**Illegal Occupation of Assam Village by Pakistan**

***63. Shri N. R. Laskar:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that in spite of repeated representations by the State Government as well as by the Central Government to Pakistan, the Pakistan Government have not handed over Boriabari village in Assam which has been in their adverse possession since partition; and

(b) if so, the steps Government are taking to regain this undisputed territory of ours?

**The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon):** (a) and (b). A statement is laid on the Table of the House.

STATEMENT

Demarcation in the Goalpara-Rangpur sector of Assam|East Pakistan Border was completed in 1956 and the boundary pillars in the sector are in position. The delineated boundary shows the village of Boriabari on the Assam side of the border. Efforts have been made with the Government of Pakistan, at State level and also at the Diplomatic level, to persuade them to agree to the transference of Boriabari village to India, since demarcation in this particular sector has been completed. Pakistan has taken the stand that areas in adverse possession of India and Pakistan could be exchanged only after the *entire* Assam|East Pakistan boundary has been demarcated and the strip maps etc., properly signed by the plenipotentiaries of the two Governments. Pakistan's view is untenable. The Assam Government and the Government of India continue to press the Pakistan Government to implement the Ground Rules in this regard and agree to the transfer of Boriabari village to Assam.

**Shri N. R. Laskar:** From the statement I find that the State Government of Assam and the Government of India have tried their best to get this territory back to us, since 1956 but it seems that the Pakistan Government are not willing to do so. There has been no positive response till now. In view of this, I would like to

know what our Government proposes to do in this regard now.

**Shrimati Lakshmi Menon:** There is very little that could be done because they argue from different premises. We say that as soon as a place is demarcated, it must be handed over to the rightful owner. But Pakistani Government says that till all the border is settled and demarcated, handing over of adverse positions should not take place.

**Shri N. R. Laskar:** May I know whether our Government has sent any note to the Government of Pakistan and if so whether any reply has been received?

**Shrimati Lakshmi Menon:** Yes, Sir: we have been reminding them from time to time that this argument of theirs is a violation of the ground rules which have already been accepted by both the Governments.

**Shri Rameshwar Tantia:** How many such villages still remain in Pakistani occupation?

**Shrimati Lakshmi Menon:** I would like to have notice of that. But unless we have a full picture of adverse positions as a result of complete demarcation, it is not possible to give that.

**Shri S. M. Banerjee:** From the statement, it is clear that even after the survey had been completed Pakistan has declined to transfer Boriabari. In view of the adamant attitude of Pakistan, I would like to know whether the transfer of Berubari will also be delayed so that we can see that we get back our land from them.

**Shrimati Lakshmi Menon:** I have already stated the position. It is likely because the same principle should apply.

**श्री यशपाल सिंह** : वह गांव जो पाकिस्तान के कब्जे में है उसकी पापुलेशन कितनी है और एरिया कितना है और कितने दिनों से यह अपनी दासता सहन कर रहा है ?

**Shrimati Lakshmi Menon:** The area is about a quarter of a square mile. I do not know the population.

**Shri P. R. Chakraverti:** Is it a fact that a recent conference of directors of land records for demarcating the boundary between Berubari and Mahandy had been postponed and if so why?

**Shrimati Lakshmi Menon:** It does not arise out of this question.

**Mr. Speaker:** I agree. Next question.

**Pirate Radios in Bhutan**

+

*64. **Shri Onkar Lal Berwa:**
**Shri Rameshwar Tantia:**
**Shri Dhaon:**
**Shri Bishanchander Seth:**
**Shri Yashpal Singh:**
**Shri S. M. Banerjee:**
**Shri Mohan Swarup:**
**Shri P. C. Borooah:**
**Shri Gokulananda Mohanty:**
**Shri D. C. Sharma:**
**Shri J. B. S. Bist:**
**Shri Bibhuti Mishra:**
**Shri Brij Raj Singh-Kotah:**
**Shri Nath Pai:**
**Shri K. N. Tiwary:**

Will the **Prime Minister** be pleased to state:

(a) whether it has come to the notice of the Government of India that some pirate radios are operating in Bhutan; and

(b) if so, what action Government propose to take in this regard?

**The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon):** (a) and (b). The Government of India have received such reports. It is understood that the Government of Bhutan are taking necessary action to locate them.

**श्री ओंकार लाल बेरवा** : यह जो पाइरेट रेडियोज भूटान में काम कर रहे हैं उन पर क्या कोई निशान है, किसी देश का निशान है ताकि यह मालूम हो सके कि उन पर काम करने वाले कौन-कौन आदमी हैं ?

**अध्यक्ष महोदय** : इस सब का पता बाद में चलेगा ।

**श्री ओंकार लाल बेरवा** : इस बारे में कितने आदमी गिरफ्तार किये गये हैं और वह किन-किन पार्टीज के हैं ?

**Shrimati Lakshmi Menon:** It is something which is happening in Bhutan and we know nothing about it except what we have heard from our political officer, namely, that there are pirate stations working there. It is entirely for the Bhutanese Government to take the necessary action because according to article 2 of the agreement, it is an internal matter which we do not want to interfere with.

**श्री ओंकार लाल बेरवा** : क्या सरकार ने यह जानने का यत्न किया है कि यह जो प्रचार करते हैं वह किस मुल्क के हक़ में करते हैं और अगर वह हमारे विरुद्ध प्रचार करते हैं तो क्या उसका खंडन करने के लिए भारत सरकार ने कोई क़दम उठाया है ?

**Shrimati Lakshmi Menon:** That is not our responsibility.

**Mr. Speaker:** Has any information been received: in favour of which country they carry on their propaganda?

**Shrimati Lakshmi Menon:** I have no information.

**Shri S. M. Banerjee:** We tabled our calling attention notice giving this information that the pirate stations were used by the Chinese for Anti-Indian propaganda but hon. Minister says she does not have that information. I am sorry we are not able to know the correct position.

**Mr. Speaker:** Would he put any question?

**Shri S. M. Banerjee:** My question is whether these stations have been doing pro-Chinese and constant anti-Indian propaganda.

**The Minister without Portfolio (Shri Lal Bahadur Shastri):** We must admit that we do not know fully what they generally try to broadcast. But it is true that some kind of attempt is perhaps made to create a wrong impression about India. As far as I am aware, the Bhutanese Government is very keen and particular to trace them out and do the needful.

**Shri Rameshwar Tantia:** Apart from Bhutan, may I know if such radio stations are working in other places also like Sikkim?

**Mr. Speaker:** Let us remain in Bhutan now.

**श्री विभूति मिश्र** : क्या भूटान सरकार इतनी ताकत रखती है कि सारे जंगली और पहाड़ी इलाकों में इन रेडियो स्टेशनों का पता लगाये ? क्या उस ने इन रेडियो स्टेशनों का पता लगाने के लिए भारत सरकार से मदद मांगी है ?

**श्री लाल बहादुर शास्त्री** : आशा तो हम करते हैं कि वे पता लगायेंगे, लेकिन अगर वे इस में हमारी मदद चाहें, तो हम जरूर इस में उन की पूरी मदद करेंगे ।

**Shri P. C. Borooah:** May I know if the coded messages from these transmitters have been intercepted and deciphered and if so, what is the theme of those messages?

**Shri Lal Bahadur Shastri:** No, Sir.

**श्री म० ला० द्विवेदी** : मैं यह जानना चाहता हूं कि शिमला और दूसरी जगहों में भारत सरकार की जो मानिटरिंग सर्विस है, क्या वह इन संकेतों को डीसाइफर कर सकती है; यदि हां, तो क्या उस ने ऐसा किया है और इस सम्बन्ध में क्या बताया है ? क्या इन रेडियो स्टेशनों से कोई गुप्त संकेत भी प्रसारित किये गये हैं; यदि हां, तो वे क्या हैं ?

**श्री लाल बहादुर शास्त्री** : उसका पूरा ब्यौरा तो मुझे मालूम नहीं है । लेकिन अगर

मालूम भी हो, तो उसके बारे में कुछ बहुत ज्यादा कहना भी मुनासिब नहीं है ।

**Shri D. C. Sharma:** We have a special treaty with Bhutan. May I know whether in the light of that special treaty, it does not become of us to find out whether these radio stations are carrying on anti-Indian propaganda and what the Government of India can do to stop this kind of propaganda?

**Shri Lal Bahadur Shastri:** As I said, we will be certainly willing to help the Bhutanese Government. We might even consider suggesting it to them.

**श्री क० ना० तिवारी** : ये पाइरेट रेडियो स्टेशन कितने दिनों से काम कर रहे हैं और कौन-कौन सी भाषा में अपने प्रसारण करते हैं ? क्या वे चाइना को कोड-वर्ड्ज ही भेजते हैं या यहां भी प्रचार करते हैं ?

**श्री लाल बहादुर शास्त्री** : इतना ब्यौरा तो हम दूसरे देश के बारे में नहीं बता सकते । लेकिन ऐसी कोशिश अक्सर देशों में होती है । ऐसा नहीं है कि भूटान में ही है—और देशों में भी ऐसा हुआ करता है । एक तरह से यह सी० आई० डी० का काम करना है, चुपके-चुपके, चोरी से सूचना भेजना है, जो कि एक देश दूसरे देश में करता है । हम को उस का पता लगाना है और इस को रोकना है । जैसा कि मैं ने कहा है, इस का पता लगाने की पूरी कोशिश की जायेगी और इस बारे में भूटान सरकार की पूरी मदद की जायेगी ।

**Shri Nath Pai:** Is it not a fact that there are as many as six pirate stations according to the monitoring system in India and this is part of a major conspiracy to subvert the whole of Bhutan first by anti-Indian propaganda and secondly, by weakening the morale of the Bhutanese?

**Shri Lal Bahadur Shastri:** There may be; I am inclined to agree with the hon. Member. I cannot say 'no' to it.

**श्री यशपाल सिंह** : माननीय मंत्री महोदय ने फ़रमाया है कि अगर भूटान सरकार मदद मांगे, तो हम पता लगायेंगे । मान लीजिये कि भूटान सरकार हम से इमदाद नहीं लेती है, तो क्या यह एन्टी-इंडियन प्रापेगेंडा इसी तरह होता रहेगा और हम इस को चैक नहीं करेंगे ?

**श्री लाल बहादुर शास्त्री** : अगर पाकिस्तान एन्टी-इंडियन प्रापेगेंडा करे, तो उस को कैसे रोकें ? अगर माननीय सदस्य को उसके लिए पाकिस्तान जाना पड़े, तो वह वहां कैसे जा सकेंगे ?

**श्री यशपाल सिंह** : अगर मेरी ड्यूटी लगाई जाये, तो मैं तैयार हूं ।

**श्री बड़े** : भूटान में पाइरेट रेडियो के द्वारा भारत के खिलाफ़ जो प्रापेगेंडा होता है, क्या भारत सरकार की ओर से उस का जवाब दिया जाता है या नहीं ?

**श्री लाल बहादुर शास्त्री** : इस खास मामले के बारे में तो मैं जवाब नहीं दे सकता हूं, लेकिन हमारा यह काम और कर्तव्य है कि भारत के खिलाफ़ जो प्रचार हो, हम उस का जवाब अपने रेडियो से दें ।

श्री बड़े : ऐसा हो रहा है या नहीं ?

**श्री लाल बहादुर शास्त्री** : मैं इसका जवाब नहीं दे सकता हूं ।

**Shri S. N. Chaturvedi:** May I know if our Government have made any representation to the Government of Bhutan about these broadcasts by these pirate radios?

**Shri Lal Bahadur Shastri:** We have talked to them. But as I said, we might even take it up further with them.

**Shri A. P. Jain:** For combating such propaganda, is Government trying to do counter-broadcasting or anything like that?

**Shri Lal Bahadur Shastri:** We will certainly consider the suggestion. But I might say that they are not really very effective. Yet, we will consider the suggestion.

**Infiltration of Naga Hostiles**

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55 { **Shrimati Jyotsna Chanda:** / **Dr. L. M. Singhvi:**

Will the Minister of **Defence** be pleased to refer to the statement made by him on the 6th May, 1964 in reply to the **Calling** Attention Notice and state:

(a) whether the Naga Hostiles who entered the Indian territory some time ago have since been apprehended; and

(b) if so, their number and the description of arms found in their possession?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):** (a) No, Sir.

(b) Does not arise.

**Shrimati Jyotsna Chanda:** May I know whether the Government have any information that 400 **Naga** hostiles who tried to enter India from Manipur border very recently have entered from any other point or not?

**The Minister of Defence (Shri Y. B. Chavan):** I have made a statement on the floor of the House in the last session that one gang has entered. It is particularly about this gang that this question was asked. We have not been able to apprehend them as such. But certainly we have had certain encounters in the sectors in which they were operating and some of them were killed. But I cannot say whether they formed part of this particular gang or not.

**Shri S. M. Banerjee:** During the calling attention, the question was put to the Minister whether they were carrying arms supplied by Pakistan or any other foreign arms. I want to know whether the arms have been identified and whether they were supplied by Pakistan or other foreign powers?

**Shri Y. B. Chavan:** It is difficult to say whether they were supplied by Pakistan or not.

**Mr. Speaker:** The question is whether they were of some foreign make.

**Shri Y. B. Chavan:** That statement I have already made that they were given arms by Pakistan; there was no doubt about that. I am saying that certain persons were apprehended and certain arms were captured, but it is difficult to say whether they were supplied by Pakistan.

**Shri S. M. Banerjee:** I want to know the nature of the arms, whether they were made by U.S.A., U.K., the Soviet Union or any other country.

**Mr. Speaker:** Is it possible to reply to that?

**Shri Y. B. Chavan:** It is not possible.

**Shri Basumatari:** How can he say it is not possible?

**Mr. Speaker:** I am not saying it is not possible. I asked whether it is possible for him to reply to that question. (*Interruptions*).

**श्री जगदेव सिंह सिद्धान्ती** : क्या इन नागा विद्रोहियों के साथ चीन अथवा पाकिस्तान के गुप्तचर तो भारत में प्रविष्ट नहीं हो रहे हैं ?

**Shri Y. B. Chavan:** We have no information; I think it is not true.

**Shri Basumatari:** Since there has been some encounter with the Naga hostiles, may I know whether the activities of the hostiles have increased or decreased?

**Shri Y. B. Chavan:** My general assessment of the situation is that there was rather intensified activity in the month of January. After that this activity has come down, but even then I can say it is of the general

level as it was going on for years together.

**Shrimati Savitri Nigam:** May I know how many hostile Nagas have surrendered so far and what treatment has been given to them?

**Mr. Speaker:** That would be a different thing. I do not allow that.

**श्री हुकम चन्द कछवाय** : माननीय मंत्री जी ने बताया है कि नागा विद्रोहियों के पास से हथियार पाए गए हैं। मैं यह जानना चाहता हूं कि ये हथियार किस प्रकार के थे और सरकार ने उन के पास से कितने हथियार पकड़े हैं।

**Shri Y. B. Chavan:** I have some information about it. The recoveries of arms and ammunition from Naga hostiles in the last few months have been as follows: In February, 1964—·303 rifles 4, pistol revolver 1, Japanese rifle 1, guns (various types) 12, ammunition (various types) 46 rounds, 12 bore guns cartridges 3 and grenades 6. In March 1964—Air rifle 1, .303 rifles 3, pistol revolver 1, guns (various types) 10, .410 musket 1, ammunition (various types) 123 rounds and grenades 2. April 1964—Rifles (various types) 33, guns (various types) 16, Projector Strim 1, ammunition (various types) 1866 rounds, 12 bore cartridges 9 and grenade 1. May 1964 (1st to 21st)—SBBL guns 3, DBBL gun 1, .303 ammunition 10 rounds, 12 bore cartridges 4, and grenade 1. Some electric wire, gun powder, equipment detonators, clothing, etc. were also recovered. My inference is, naturally, some of these electric wire, gun powder, equipment detonators should be from Pakistan.

**Mr. Speaker:** Next question.

**Shri Kapur Singh:** Sir, I would suggest that Starred Question No. 90, which is on the same subject, may be taken up with Starred Question No. 66.

**Mr. Speaker:** If it is convenient, both may be taken up together.

**उच्चशक्ति वाले ट्रांसमिटर**

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*६६. **श्री प्रकाशवीर शास्त्री :**
**श्री स० चं० सामन्त :**
**श्री म० ला० द्विवेदी :**
**श्रीमती सावित्री निगम :**
**श्री दाजी :**
**श्री सिद्धेश्वर प्रसाद :**
**श्री हरि विष्णु कामत :**
**महाराजकुमार विजय आनन्द :**
**डा० प० श्रीनिवासन :**

क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत के विरुद्ध चीनी प्रचार का सामना करने के लिये शक्तिशाली ट्रांसमिटर लगाने में अब तक क्या प्रगति हुई है ;

(ख) ये ट्रांसमिटर पहले कहां कहां लगाये जायेंगे और प्रत्येक की शक्ति कितनी होगी ; और

(ग) क्या इस प्रयोजन के लिये कोई विशेष वित्तीय व्यवस्था की गई है ?

**सूचना और प्रसारण मंत्रालय में उप-मंत्री (श्री शाम नाथ)** : (क) और (ख).

**(१) कलकत्ता के निकट १००० किलोवाट मीडियमवेव ट्रांसमीटर**

इस ट्रांसमीटर की सप्लाई के लिये आफर्ज आए हैं और उन पर विचार हो रहा है।

**(२) शिमला के निकट १०० किलोवाट मीडियमवेव ट्रांसमीटर**

ट्रांसमीटर का जरूरी सामान पहुंच चुका है। लगाने की मुनासिब जगह तय की जा रही है।

**(३) दिल्ली के पास सात, १०० किलोवाट के शार्टवेव ट्रांसमीटर**

२ ट्रांसमीटर लगाये जा रहे हैं और आशा है कि शीघ्र ही काम करने लगेंगे। बाकी ५ ट्रांसमीटर की व्यवस्था भी तीसरी पंचवर्षीय

योजना में है। इस योजना को पूरा करने के लिये विदेशी मुद्रा के मिलने की प्रतीक्षा है।

(ग) योजना कमीशन ने १००० किलोवाट मीडियम-वेव ट्रांसमीटर लगाने के लिये १ करोड़ रुपये की और रकम मंजूर की है। ऊपर जिन और ट्रांसमीटरों का उल्लेख किया गया है उनके लिये धन की व्यवस्था तीसरी पंचवर्षीय योजना में, आकाशवाणी के लिये मंजूर हुई हुई राशि में है।

[(a) and (b) (i) 1000 *kw mediumwave transmitter near Calcutta*—Offers received for supply of this transmitter are under examination.

(ii) 100 *kw mediumwave transmitter near Simla*.—Transmitting equipment has been received. Suitable site is under finalisation.

(iii) *Seven* 100 *kw shortwave transmitters at Delhi*.—Two transmitters are under installation and are likely to be commissioned shortly. Provision for the remaining five transmitters has been made in the Third Five Year Plan. Implementation of this scheme is awaiting release of foreign exchange.

(c) Planning Commission have approved an additional allocation of Rs. 1 crore for installation of the 1000 kw medium-wave transmitter. Provision for the other transmitters mentioned above is included in the approved Third Plan allocation for All India Radio.]

**High Power Transmitter from U.S.S.R.**

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*90. **Shri P. C. Borooah:**
**Shri Naval Prabhakar:**
**Shri Mohammad Elias:**
**Shri P Venkatasubbaiah:**
**Shri R. Barua:**
**Shri R. S. Pandey:**

Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether the U.S.S.R. has lately offered to sell a 1,000 Kwt. Transmitter to India on Rupee Payment;

(b) if so, on what precise terms; and

(c) Government's reaction to this offer?

**The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath):** (a) Yes, Sir.

(b) Details of terms are not yet available.

(c) The matter is under consideration.

**श्री प्रकाशवीर शास्त्री**: मैं जानना चाहता हूं कि भारत सरकार ने जिन भिन्न भिन्न देशों से अधिक शक्तिशाली ट्रांसमीटर के लिए टेंडर मांगे थे, उस में सब से कम पैसे का टेंडर किस देश से प्राप्त हुआ है और भारत सरकार कब तक इस पर अंतिम निर्णय ले लेगी?

**श्री शामनाथ**: जो टेंडर्ज हैं उन पर गौर हो रहा है लेकिन उनकी जो डिटेल्ज हैं, उनके मुताल्लिक इस स्टेज पर हाउस में कुछ कहना, मैं समझता हूं, मुनासिब नहीं है।

**श्री प्रकाशवीर शास्त्री**: यह रहस्य की बात नहीं है।

**श्री नाथ पाई**: इस हाउस में नहीं कहा जाएगा तो कहां कहा जाएगा, कौन से हाउस में कहा जाएगा?

**श्री प्रकाशवीर शास्त्री**: इसको क्यों छिपाया जा रहा है?

**संसद्-कार्य मंत्री (श्री सत्य नारायण सिंह)**: टेंडर मांगे गये थे, वे खुले भी हैं। इस हाउस से छिपा कर हम कैसे किसी चीज को रख सकते हैं? यहां नहीं कहेंगे कि तो कहां कहेंगे। लेकिन कभी कभी किसी चीज की कोई ऐसी स्टेज होती है कि जब हाउस को उसको जानने पर इंसिस्ट नहीं करना चाहिये। आपको हम खबर नहीं देंगे तो दूसरे किस को देंगे, आखिर हमको आना पड़ेगा खबर देने के लिए। लेकिन इस वक्त स्टेज कुछ ऐसी है कि

उसको बतलाया नहीं जा सकता है। सारी चीज कुछ मैल्टिंग पाट में है। आज साढ़े चार बजे इसी सम्बन्ध में एक मीटिंग हो रही है और जो कठिनाई आती है उस पर विचार किया जाएगा। जो पहले टेंडर मांगे गये थे उनको कैंसल करें, क्या करें, ये सब बातें कुछ ऐसी हैं जो विचाराधीन हैं और अगर अभी इनके बारे में कुछ कहा जाए तो वह मुनासिब नहीं होगा।

**श्री प्रकाशवीर शास्त्री**: क्या यह सही है कि ये जो टैंडर आए हैं, इन में से सब से कम मूल्य का टैंडर जिस देश से प्राप्त हुआ है, उसकी उपेक्षा करके अधिक मूल्य का टेंडर जिस देश से प्राप्त हुआ है, उससे कुछ समझौता करने का विचार है इस दृष्टि से कि उस देश से हमारी दोस्ती बढ़े?

**श्री सत्य नारायण सिंह**: इस मामले में कुछ गलतफहमी है। अखबारों में जो छपा है उससे भी कुछ गलतफहमी फैली है। चीज यह है कि शुरू से ही जो फाइनेंस मिनिस्ट्री है उसने हमें जो इजाजत दी थी वह फ्री फारेन एक्सचेंज कण्ट्री से खरीदने की इजाजत नहीं दी थी। जो रुपी पेमेंट वाला कंट्री है उसी से हमको यह ट्रांस्मीटर लेना था। फ्री फारेन एक्सचेंज कण्ट्री से, वैस्टर्न कंट्री से जरूर एक टेंडर आया है। कीमत में तो नहीं लेकिन समय में बहुत फर्क है....

**श्री अ० प्र० जैन**: आप तो सब कुछ बताते जा रहे हैं। आपने तो कहा था कि बताना ठीक नहीं है।

**श्री सत्य नारायण सिंह**: मैं नाम नहीं ले रहा हूं। यह जो सवाल है वह इस वक्त नहीं उठता है।

**Shri S. C. Samanta:** May I know whether we have sufficient number of efficient technical personnel to handle these instruments? If not, what arrangements have been made for their training?

**Shri Sham Nath:** As soon as the equipment is available, personnel will be trained and engaged.

**श्री म० ला० द्विवेदी**: एक हजार किलोवाट के ट्रांसमीटर के लिए जो रूस से टैंडर आया है वह क्या विलम्ब से प्राप्त हुआ है, यदि हां तो क्या उसे भी इनके साथ विचाराधीन रखा गया है, यदि नहीं तो क्यों नहीं और यदि हां तो क्यों?

**श्री सत्य नारायण सिंह**: मैंने पहले कहा था कि अगर माननीय सदस्य कुछ धीरज धारण करें तो सारी बातें उनके सामने रख दूंगा।

**Maharajkumar Vijaya Ananda:** My question is not about the tender. I would like to know how the machines that we intend getting will be able to jam the broadcasts made by the Chinese.

**Shri Sham Nath:** It is not a question of jamming only. It is more a question of our having broadcasts directed to the South-east Asian countries.

**Shri Hari Vishnu Kamath:** With regard to the installation of this high-power transmitter does Government propose to enter into any agreement with any of the foreign governments and, if so, which particular features or terms and conditions of the Voice of America Agreement which was at first signed and then scrapped, will not be incorporated in this agreement with that foreign country?

**Shri Satya Narayan Sinha:** The Voice of America Agreement is a thing of the past. Now we are going to purchase transmitters from other countries and there will be no strings; nothing of that kind. We are going to purchase them from those countries from where it is suitable. Wherever it will be cheaper, and the supply will be better and quicker, we will have it.

**Shrimati Savitri Nigam:** May I know whether Government is aware that many frequencies are being lost

because of the delay in establishing these transmitters? Keeping in view the urgency of this aspect, how much more time is likely to be taken up by Government for the establishment of these transmitters?

**Shri Satya Narayan Sinha:** We are anxious to have them. Unfortunately, because of the Voice of America agreement, things have been delayed. Now we are trying to negotiate as expeditiously as possible. But, after all, these things are not ready-made. Whichever country will supply as early as possible of course among the rupee payment countries, we will take it from that country, even if the price is a little higher. Because, time is the more important factor for us.

**Shri P. C. Borooah:** May I know whether the VOA Agreement has been finally abandoned?

**Shri Satya Narayan Sinha:** It was buried long ago.

**श्री प० ला० बारूपाल** : जिन देशों से टैंडर आए हैं, क्या उन में से जापान भी एक है ? क्या यह भी सही है कि उस टैंडर में जो कोटेशन दी गई है वह सब से कम है और साथ ही साथ उस में यह भी वादा किया गया है कि शीघ्रातिशीघ्र ट्रांसमीटर दिया जाएगा ?

**श्री सत्य नारायण सिंह** : मैंने कहा है कि सब बातों को इस वक्त नहीं बताया जा सकता है ।

**Shri P. Venkatasubbaiah:** May I know whether the high-power transmitters that have been offered by USSR are on deferred payment or rupee payment?

**Mr. Speaker:** Let Government consider and take a decision. Some time must be given to the Government also.

**Shri S. N. Chaturvedi:** May I know whether the representatives of the tendering parties were present when the tenders were opened? If so, have they not all the information which has been denied to the House.

**Shri Sham Nath:** When the tenders were opened, representatives of some of the tenderers were present.

**श्री क० ना० तिवारी** : ट्रांसमीटर मंगाने में बहुत देरी हो जाती है क्योंकि फारेन एक्सचेंज का मामला होता है । क्या सरकार इस पर विचार कर रही है कि अपने यहां, अपने देश में ही ट्रांसमीटर बनाने का काम प्रारम्भ किया जाए ?

**अध्यक्ष महोदय** : वह अभी देर लेगा ।

**श्री जगदेव सिंह सिद्धान्ती** : मंत्री महोदय कब तक इस टेन्डर के चक्र से बाहर हो जायेंगे ।

**श्री सत्य नारायण सिंह** : यह चक्रव्यूह है और इस चक्र से निकलने में थोड़ी देर लगेगी ।

**Shri Nath Pai:** Was any date fixed for receiving tenders; if so, what was the date, were any tenders received after that date and, if so, from what country?

**Shri Satya Narayan Sinha:** I will not be able to give all these details.

**Shri Nath Pai:** On a point of order, Sir. I am sorry, it is not strictly a point of order, but I want your help. I asked a very simple and specific question, the question being whether any date was fixed for receiving tenders; if so, what that date was and if any tenders were received after that date. This should be very simple and easy to answer.

**Shri Sham Nath:** Sir, a date was fixed by which tenders were to be received and that date was 24th March, 1964.

**Shri Nath Pai:** Were tenders received after that date?

**Shri Sham Nath:** One tender was received afterwards; but that tender was posted earlier and, therefore, it was taken into consideration.

**श्री यशपाल सिंह** : इस हाउस में कई दफे जिक्र आया कि चाइना के ६३ ट्रांस्मिटर्स काम कर रहे हैं बार्डर के ऊपर, तो

ट्रांस्मिटर की पावर उन से कितनी ज्यादा है ।

**श्री सत्य नारायण सिंह :** चाइना के ट्रांस्मिटर्स की पावर क्या है यह तो हमें पता नहीं क्योंकि वह तो आयरन कर्टेन में वर्क करते हैं । लेकिन हम ने समझा कि अगर एक हजार किलोवाट का ट्रांस्मिटर मिल जाये तो जितने दूर देशों में हम अपनी खबरें फैलाना चाहते हैं वहां उसे पहुंचा सकेंगे ।

**Activities of the Hostile Nagas**

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*67. **Shri S. M. Banerjee:**
**Shri Bishwanath Roy:**
**Shri Bal Krishna Singh:**
**Shri P. C. Borooah:**
**Shri Rishang Keishing:**
**Shri P. R. Chakraverti:**
**Shrimati Savitri Nigam:**
**Shri Bishanchander Seth:**
**Shri Rameshwar Tantia:**
**Shri Dhaon:**
**Shri Maheswar Naik:**
**Shri R. Barua:**
**Shri Hukam Chand Kachhavaiya:**
**Shri M. Rampure:**
**Shri D. D. Mantri:**
**Shri Hem Barua:**

Will the Minister of **Defence** be pleased to state:

(a) whether Naga hostiles have recently intensified their activities;

(b) if so, whether there is a regular supply of arms to them by Pakistan; and

(c) whether any reply has been received to the protest note lodged by India with Pakistan in this regard?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):** (a) There is no evidence to show that the Naga hostiles have recently intensified their activities. However, their usual activities, involving terrorism, intimidation of loyal Nagas, extortion of money from civilians, dacoities and occasional firing on security columns and posts, continue.

(b) Two hostile gangs have returned to Nagaland, and the third is reported to be on its way back from East Pakistan after receiving training and collecting weapons, ammunition, explosives and equipment.

(c) No, Sir.

**An Hon. Member:** Sir, Question No. 73 may also be taken up along with this question.

**Shri S. M. Banerjee:** May I know whether it is a fact that these Naga hostiles have agreed to declare a cease-fire on certain conditions; if so, what are those conditions and Government's reaction thereto?

**The Minister of Defence (Shri Y. B. Chavan):** At present I have no information, but certainly some information was sent to us by the External Affairs Ministry. I think, this question has to be directed to that Ministry.

**Shri S. M. Banerjee:** My question was not this but the previous one to which my name was not added. I can understand the Defence Minister answering that, but this question was specifically addressed to the Prime Minister and not to the Defence Minister. If this question cannot be answered as a supplementary to this and if we have to ask a fresh question, there is no use in answering this.

**Mr. Speaker:** There might be other questions.

**Shri S. M. Banerjee:** May I know whether it is a fact that these hostiles are still guided by Mr. Phizo's instructions.....

**Mr. Speaker:** That particular question which he has asked is covered by Question No. 73.

**Shri S. M. Banerjee:** Will he answer Question No. 73?

**Mr. Speaker:** Yes.

**Shri S. M. Banerjee:** May I know whether it is a fact that these hostiles are still guided by Mr. Phizo's

instructions; if so, what is the information with the Government of India and whether Rev. Michael Scott who, according to the late lamented Prime Minister.....

**Mr. Speaker:** All that is covered by Question No. 73.

**Shri S. M. Banerjee:** As some hon. Member said, Question No. 73 also should be answered along with this.

**Mr. Speaker:** That is for the Prime Minister to answer. How can I take them up together?

**Shri S. M. Banerjee:** What positive steps have been taken to bring the Naga hostiles into our fold and will the policy pursued by the late Shri Nehru be pursued hereafter?

**Shri Y. B. Chavan:** As far as the Defence Ministry are concerned, we are concerned about the operations of the Army there along with the Police force which is located under its control. We are continuing the same policy that was in force before.

**श्री हुकम चन्द कछवाय** : मैं जानना चाहता हूं कि मार्च १९६३ से अभी तक नागाओं ने कितने घर लूटे, कितने व्यक्तियों की हत्या की, कितनी रेल गाड़ियां लूटीं और कितनी जन एवं धन हानि थी ।

**Shri Y. B. Chavan:** I hav e no information on this point and even if I had, I would not be disclosing it.

**Shri Swell:** The Deputy Defence Minister has just now stated that there is no evidence to show that there has been intensification of hostilities from the Naga hostiles. May I know whether it is a fact that on May 13 at a place called Ching Jaroi in the Ukhrul sub-division of Manipur there was an encounter between the Naga hostiles and our security forces in which two were killed, that a few days before that there were various other encounters in which more of our security forces, according to the paper reports, have been killed and a few days before that the Naga hostiles fired at one of our trains?

**Shri D. R. Chavan:** If my hon. friend referred to the answer which I have just now read, he will find that it is mentioned, namely—

> "However, their usual activities, involving terrorism, intimidation of loyal Nagas, extortion of money from civilians, dacoities and occasional firing on security columns and posts, continue."

So, that I have mentioned already.

**Shri Swell:** I am not speaking about dacoities and all that. I am speaking about full-scale encounters between the Naga hostiles and our security forces. There is a big difference between the two.

**Shri Y. B. Chavan:** I did mention when I replied to an earlier question that encounters continue to take place. Sometimes our security forces are also vicitims of their attacks; sometimes a large number of hostiles are victims of our attack. So, the encounters continue.

**Shri Bishwanath Roy:** May I know whether as a result of the steps taken by the Government against the recent activities of the hostile Nagas any sort of weakness is coming in the activities of the Nagas or any sort of gesture of surrender is made by them?

**Shri Y. B. Chavan:** I do not see any indication of that sort of a situation.

**Shri P. C. Borooah:** How many encounters have taken place since the peace talks between the Rev. Michael Scott and others and what is the loss of lives and property therein?

**Shri Y. B. Chavan:** I have no specific and detailed information on this point. If a notice is given, certainly I will give that information.

**Shrimati Savitri Nigam:** When constant patrolling is going on on our

borders, from what point do hostile Nagas go to Pakistan or Burma? What is the place from where they escape and come back?

**Shri Y. B. Chavan:** The difficulty is that most of the Nagaland area is a very hard, difficult, mountainous terrain. It is difficult to keep vigil on every inch of the border. Sometimes they go out from the Manipur corner; sometimes from the Burmese corner. It is rather difficult to say which corner they choose.

**Shri P. R. Chakraverti:** May I know whether at the last conference of Home Ministers this question of Pakistan supplying arms to the Naga hostiles and giving them training was taken up with the Pakistan Home Minister?

**Shri Y. B. Chavan:** According to my information, this point was not taken up.

**Shri Iqbal Singh:** May I know the type of arms that have been captured from the hostile Nagas and the country of their origin?

**Shri Y. B. Chavan:** I said just now while answering another question that some arms and ammunition were certainly captured, but it is difficult to identify exactly the countries from which they have come.

**Shri Basumatari:** In reply to part (c) the Deputy Minister said 'No'. May I know whether they have ascertained from Pakistan, since it is reported in the papers that after the demise of the late Prime Minister and the visit of Sheikh Abdullah they have changed their attitude, as to the reaction of Pakistan to these activities?

**Shri Y. B. Chavan:** We have protested about it and no reply has been received. That information has been given.

**Shri Ranga:** May I know if the Government, at any time, ascertained from the forces on the spot whether all this interest that we have been taking in this House has not been encouraging the hostiles in exaggerating their own importance and their activities and in that way continuing their hostilities against us?

**Shri Y. B. Chavan:** I do not think that has any relation with the intensification of the Nagas' activities.

**Bonus Commission Report**

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*68. **Shri D. C. Sharma:**
**Shri Rameshwar Tantia:**
**Shri Onkar Lal Berwa:**
**Shri Dhaon:**
**Shri Yashpal Singh:**
**Shri Gokaran Prasad:**
**Shri S. M Banerjee:**
**Shri Gokulananda Mohanty:**
**Shri J. B. S. Bist:**
**Shri Mohsin:**
**Shri A. S. Saigal:**
**Shri P. R. Chakraverti:**
**Shrimati Savitri Nigam:**
**Shri R. Barua:**
**Shri Hukam Chand Kachhavaiya:**
**Shri Mohammad Elias:**
**Shri M. Rampure:**
**Shri D. D. Mantri:**
**Shri Indrajit Gupta:**
**Shri Dinen Bhattacharya:**

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether any decision has been taken on the recommendations of the Bonus Commission; and

(b) if so, the broad outlines of the steps taken to implement the same both in the Private and Public Sectors?

**The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya):** (a) and (b). The recommendations made by the Bonus Commission are under examination. Decisions on them will be taken as expeditiously as possible.

**Shri D. C. Sharma:** May I know what are the recommendations which have caused controversy and what are the recommendations that have been broadly accepted by the Ministry by this time?

**Shri R. K. Malviya:** There are some such recommendations. But it is the minute of dissent which has caused delay.

**Shri D. C. Sharma:** What are the recommendations in the minute of dissent that are being studied and may I know by what time those controversies will be resolved?

**Shri R. K. Malviya:** The minute of dissent has also been circulated along with the report to the hon. Members. The main recommendations in the minute of dissent were, firstly, that the Commission did not allow the Super Profits Tax as a prior charge and secondly, .....

**Mr. Speaker:** If it has already been circulated, it need not be repeated.

**Shri Rameshwar Tantia:** May I know whether any objection has been received by the Government against the Bonus Commission's recommendations particularly for the return on the capital and, if so, what is the reaction of the Government?

**Shri R. K. Malviya:** I will not be able to say whether any objection has been raised on this particular subject. But some objections have been received.

**श्री ओंकार लाल बेरवा** : क्या इस बोनस कमिशन की रिपोर्ट पर चित्तरंजन लोकोमोटिव वर्कशाप ने भी अमल किया है; यदि नहीं, तो इस का क्या कारण है ?

**श्री र० कि० मालवीय** : अमल का सवाल ही पैदा नहीं होता जब तक कि रिपोर्ट मंजूर न हो जाय ।

**श्री यशपाल सिंह** : किन किन स्टेट्स से आप ने कंसल्ट कर लिया है और वह क्या चीज है जो कि इसके बीच में रोड़ा अटका रही है ? एक साल पहले पूछा गया तब भी यही जवाब दिया गया, ६ महीने पहले पूछा गया तब भी यही बात कही गयी और आज भी वही बात कही जा रही है, आखिर क्या चीज है जो कि बीच में रोड़ा अटका रही है ?

**श्री र० कि० मालवीय** : एक साल पहले का तो सवाल ही पैदा नहीं होता है क्योंकि रिपोर्ट इस तीन मार्च को टेबुल पर रक्खी गई है । दो, तीन महीने ही इसको टेबल पर रक्खे हुए हुए हैं । उसी वक्त से यह कोशिश जारी है । काफी स्टेट्स गवर्नमेंटस के जवाब आ गये हैं और कुछ के आने अभी बाकी हैं उन के आ जाने पर इस पर गौर किया जायगा ।

**Shri S. M. Banerjee:** May I know whether the hon. Minister is aware that taking advantage of this abnormal delay in getting the Government's decision on it, all employers are refusing to have bipartite or tripartite agreements on bonus and, if so, what steps the Government is likely to take to overrule or ignore Shri Dandekar's note to be accepted *in toto*?

**Shri R. K. Malviya:** The Industrial Disputes Act is in operation. All the remedies in the Industrial Disputes Act with regard to the settlement of disputes in regard to bonus are also open. I have just come from the south and some settlements are being made there. I think the workers are satisfied with those settlements.

**Shri Warior:** May I know by what time the Government is going to take a decision on it and begin the implementation of the recommendations of the Bonus Commission's Report?

**Shri R. K. Malviya:** As I have said, we will take a decision as expeditiously as possible.

**Shri Daji:** This kind of practice has never been there. When the Wage Board's Report or some such Commission's Report comes, States are never consulted. The Central Government comes to the decision. Why is it that a departure has been made in this particular case? The Bonus Commission deliberated fully and the representatives of the Government, the employers and the labour were represented on it. May I know why a departure has been made in this particular case?

**Shri R. K. Malviya:** There is no departure in this case. The States are

very much interested. In the first instance, they are in charge of labour relations in connection with the factories which are running in their States. There are some States which are running industries themselves and, therefore, it is very necessary to consult the State Governments.

**श्री हुकम चन्द कछवाय** : यह प्रतिवर्ष बोनस का जो झगड़ा चलता रहता है यह झगड़ेबाजी कब तक चलती रहेगी और कब तक मजदूर को ठीक तरीके से उसका वाजिब बोनस मिलने लगेगा और उस की बोनस की जो रकम बनती है क्या वह मजदूर को बोनस मिलने की अवधि के बाद के समय को जो बोनस मिलने में देरी होती है क्या उस पर ब्याज जोड़ कर दिया जायगा ?

**श्री र० कि० मालवीय** : ट्रिब्युनल ब्याज भी जोड़ कर देने का फैसला कर सकता है कंसिलिएशन मशीनरी भी अगर आपस में इस तरह का समझौता हो, तो यह ब्याज भी दिला सकता है, लेकिन हम महज अपने तौर पर तो ब्याज नहीं दिला सकते है । अलबत्ता कोशिश हमारी यह जरूर रहती है कि ये झगड़े जल्द से जल्द तय हो जाय ।

**Shri Indrajit Gupta:** In view of the fact that only one Member out of the seven Members of the Bonus Commission submitted a note of dissent whereas all the other six Members were of one point of view, is the Government not aware of the fact that by allowing so much delay to take place, the Government is itself putting a premium on a sort of a right of veto by one Member in any such commission to be evolved in future?

**Mr. Speaker:** The whole report and also the minute of dissent is to be considered.

**Shri Indrajit Gupta:** What prevents the Government from implementing the majority decision?

**The Minister of Labour and Employment (Shri D. Sanjivayya):** It is not merely the minute of dissent by Mr. Dandekar that is being taken into consideration. We have to consult the State Governments and the employing Ministries of the Government of India to know as to what would be the implications. Then only we will be able to take a decision.

**Shri K. N. Pande:** May I know the general reaction of the States in this connection and whether the majority of the States are in favour or against it.

**Shri R. K. Malviya:** All the replies have not yet been received.

**Shri A. P. Sharma:** In view of almost all the interests, the labour, the employers and the Government, having come to a unanimous conclusion regarding the Bonus Commission's recommendations, may I know what is the exact delay in the implementation of the recommendation of the Bonus Commission and by what time the Government is likely to implement the Bonus Commission's recommendations?

**Mr. Speaker:** They have answered both the questions. Next Question.

### NEFA Secretariat Building

*69. **Shri Rishang Keishing:** Will the **Prime Minister** be pleased to state:

(a) whether construction of NEFA Secretariat building has been started at Shillong;

(b) if so, the estimated cost thereof;

(c) the reasons as to why the Secretariat Building could not be located in NEFA proper; and

(d) how far the wishes and demand of the people for location of the same within NEFA were considered?

**The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon):** (a) Land has

been acquired and administrative approval given for the construction of a NEFA Secretariat building in Shillong.

(b) Rupees twenty lakhs.

(c) and (d). A statement is laid on the Table of the House.

STATEMENT

The decision to construct the Secretariat in Shillong was taken after taking into account all relevant considerations and more particularly the need for economy, the lack of lateral communications inside NEFA and the administrative necessity of keeping the Secretariat at the headquarters of the Governor of Assam who, as Agent of the President, is responsible for the administration of the area.

Some representations, mainly from students and leaders in Siang Frontier Division were considered before the decision was taken.

**Shri Rishang Keishing:** Is it not a fact that sometime in 1960 a definite decision was taken to locate NEFA Secretariat inside NEFA proper somewhere in Zero and, if so, may I know why the decision was changed in favour of Shillong?

**Shrimati Lakshmi Menon:** No decision was taken at that time about locating the headquarters in the interior of NEFA. The matter was considered but later on it was found not feasible. If the headquarters are situated within NEFA, the expenses that will be incurred will be about Rs. 2 crores as against a sum of Rs. 20 lakhs that will be spent in Shillong.

**Shri Rishang Keishing:** May I know whether the Government is fully aware of the desire of the people of NEFA to have NEFA Secretariat inside NEFA proper and, if so, whether this fact was given proper onsideration before taking a decision to locate it in Shillong?

**Shrimati Lakshmi Menon:** Yes, Sir. All these factors were taken into consideration. It was found that at the moment it is much better to have the headquarters in Shillong because of the difficulties of lateral communications in NEFA.

**Shri Swell:** Apart from the financial considerations which the Minister of State has now mentioned, are there other considerations that have persuaded the Government to hold out against the popular wishes of the NEFA people to have NEFA Secretariat somewhere in NEFA?

**Shrimati Lakshmi Menon:** The other considerations have been given in the statement. There is the lack of lateral communications inside NEFA. For everything, you have to start from Gauhati. Therefore, it was not found feasible.

**Shri P. N. Kayal:** In view of the fact that a Committee has been appointed to go into the question of granting more autonomy to the NEFA administration, could it not be possible for the Government to hold up the construction of this building till the final decision is taken by the Committee?

**Mr. Speaker:** It is a suggestion for action. Next Question.

**Sino-Indian Border Dispute**

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*70. **Shri Hari Vishnu Kamath:**
**Shri Prakash Vir Shastri:**
**Shri Gokulananda Mohanty:**
**Maharajkumar Vijaya Ananda:**
**Shri P. C. Borooah:**
**Shri Gulshan:**

Will the **Prime Minister** be pleased to state:

(a) whether any suggestions or overtures for resolving the India-China conflict by or on behalf of the Government of China have been made;

(b) if so, when, by whom and the details thereof;

(c) whether any proposals have been made by or on behalf of the

Government of China for the same purpose;

(d) if so, the broad outlines thereof; and

(e) whether China has made further inroads into Indian territory since 1st May, 1964?

**The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon):** (a) No, Sir. No suggestions or overtures for resolving the India-China conflict by or on behalf of the Government of China have been made.

(b) Does not arise.

(c) No, Sir.

(d) Does not arise.

(e) There have been no further inroads into Indian territory since 1st May, 1964.

**Shri Hari Vishnu Kamath:** Are there reasons to believe or are there reports or communications that the passing away of that charismatic leader Shri Jawaharlal Nehru will induce a more conciliatory attitude on the part of the Chinese Government or on the contrary a stiffer and more aggressive one, and if the answer be the latter, that is to say, a more aggressive one, are Government fully prepared to meet the situation?

**Shrimati Lakshmi Menon:** That is a hypothetical question.

**Shri Hari Vishnu Kamath:** What is hypothetical about it? I want to know whether reports have been received.

**Shrimati Lakshmi Menon:** It relates to something that might happen.

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## WRITTEN ANSWERS TO QUESTIONS

### Refugees from East Pakistan

*22. **Shri Yashpal Singh:**
**Shri Onkar Lal Berwa:**
**Shri Gokaran Prasad:**
**Shri P. K. Deo:**
**Shri M. L. Dwivedi:**
**Shri S. C. Samanta:**
**Shrimati Savitri Nigam:**
**Shri Daji:**
**Shri S. M. Banerjee:**
**Shri Prakash Vir Shastri:**
**Shri Rameshwar Tantia:**
**Shri Dhaon:**
**Shri P. C. Borooah:**
**Shri Gokulananda Mohanty:**
**Shri Rama Chandra Mallick:**
**Shri Bade:**
**Shri Rishang Keishing:**
**Shri Hari Vishnu Kamath:**
**Shri A. S. Saigal:**
**Shri P. R. Chakraverti:**
**Shri Bibhuti Mishra:**
**Shri Daljit Singh:**
**Shri Hukam Chand Kachhavaiya:**
**Shri Tridib Kumar Chaudhuri:**
**Shri P. Venkatasubbaiah:**
**Shri Dharmalingam:**
**Shri Muthu Gounder:**
**Shri Veerappa:**
**Shri Sivamurthi Swamy:**
**Shri Dinen Bhattacharya:**
**Shri Hem Barua:**

Will the Minister of **Rehabilitation** be pleased to state:

(a) the number of refugees, community wise, who have so far come from East Pakistan;

(b) how and in which States they are going to be rehabilitated; and

(c) how many money has been set apart for this purpose for assisting the States.

Will the Minister of **Rehabilitation Tyagi)**

(a) The total number of members of minority communities in East Pakistan who have crossed over to India during the period from the 1st January, 1964 to the 25th May, 1964 is about 4,06,620 persons. The religion wise break-up of this figures is roughly as follows:—

| | | |
|---|---|---|
| Christians | 47,900 | persons |
| Budhists | 20,000 | persons |
| Hindus | 3,38,720 | persons |

(b) A statement furnishing the required information is laid on the Table of the Sabha. [*Placed in Library. See* No. LT-2901/64].

(c) As it was not possible to make any forecast regarding the number of migrants, no specific provision for this purpose was made in the budget which was then in the course of finalisation. The State Governments have now been asked to make an assessment of the funds required for the relief and rehabilitation of new migrants during the current year. Provison iin this behalf will be made through a supplementary grant or by re-appropriation. In the meantime, funds are being made available to the State Governments according to their requirements. So far a sum of Rs. 2.44 crores has been placed at the disposal of the State Governments in the form of grants and loans.

### बैंक आफ चाइना

*२३. श्री प्रकाशवीर शास्त्री :
श्री हरि विष्णु कामत :

क्या **वित्त** मंत्री यह बताने की कृपा करेंगे कि :

(क) बैंक आफ चाइना की जांच का कार्य कहां तक पूर्ण हो चुका है ;

(ख) अब तक की जांच के परिणामस्वरूप कौन कौन से निष्कर्ष प्रकाश में आये हैं। और

(ग) कब तक इस जांच के पूर्ण हो जाने की संभावना है ?

**योजना मंत्री (श्री ब० रा० भगत)** : (क) और (ग) : जांच अधिकारी ने किताबों और हिसाब-किताब की प्रारम्भिक जांच पूरी कर ली है और अनुमान है कि छानबीन का काम जल्दी ही पूरा हो जायगा ।

(ख) चूंकि रिपोर्ट अभी पेश नहीं की गयी, इसलिए अभी अनुमान नहीं लगाया जा सकता कि जांच अधिकारी किन परिणामों या निष्कर्षों पर पहुंचा है ।

### चौथी योजना

*२४. श्री सिद्धेश्वर प्रसाद :
श्री यशपाल सिंह :
श्री म० ला० द्विवेदी :
श्रीमती सावित्री निगम :
श्री दाजी :
श्री स० चं० सामन्त :
श्री पें० वेंकटासुब्बया :
श्री प्र० रं० चक्रवर्ती :
श्री प्र० चं० बरुआ :
श्री हेडा :
श्री दलजीत सिंह :
श्री कोल्ला वेंकैया :

क्या **योजना** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि चौथी पंचवर्षीय योजना के लक्ष्यों, स्वरूप, प्राथमिकताओं तथा साधनों पर विचार करने के लिये हाल ही में योजना आयोग की कोई बैठक हुई थी ;

(ख) यदि हां, तो इस सम्बन्ध में क्या निर्णय किये गये ; और

(ग) चौथी योजना का संक्षिप्त प्रारूप कब तक प्रकाशित किया जा सकेगा ?

**योजना मंत्री (श्री ब० रा० भगत)** : (क) जी हां, चौथी योजना को तैयार करने से सम्बन्धित सामान्य नीति पर विचार करने के लिए १० मई १९६४, रविवार को प्रधान मंत्री के निवास स्थान पर योजना आयोग की एक पूर्ण बैठक हुई । इसमें चौथी योजना के लक्ष्यों, ढांचे, प्राथमिकताओं और साधनों पर विचार नहीं किया गया ।

(ख) प्रश्न नहीं उठता ।

(ग) प्रारूप की रूपरेखा मार्च १९६५ तक प्रकाशित हो जाने की संभावना है ।

**Development of Eastern U.P.**

*25. **Shri Bishwanath Roy:**
**Shri Bal Krishna Singh:**

Will the Minister of **Planning** be pleased to state:

(a) whether Government have allotted any fund for starting development work in the current financial year in the light of the recommendations made by the Joint Study Team on the Eastern Districts of U.P.; and

(b) if so, how much?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) and (b). The Planning Commission, in consultation with the Ministry of Finance, has accepted generally the programme of accelerated development of the four eastern districts recommended by the Joint Study Team. The exact amount of Central assistance in 1964-65 will be determined on the basis of the detailed programmes which are being worked out by the State Government.

**Health Insurance Scheme**

*26. **Shri P. Venkatasubbaiah:**
**Shri D. C. Sharma:**
**Shri M. Malaichami:**

Will the Minister of **Health** be pleased to state:

(a) whether Central Government have suggested to the State Governments to introduce on an experimental basis a Health Insurance Scheme in selected areas for the benefit of middle class people who are not covered by any scheme of Government;

(b) if so, the reactions of those State Governments; and

(c) whether any financial assistance shall be made available to the State Governments if they are agreeable to take up this scheme?

**The Minister of Health (Dr. Sushila Nayar):** (a) No formal scheme has been sent to the State Governments.

(b) and (c). Do not arise.

**Refugees in Garo and Mizo Hills**

*27. **Shri P. C. Borooah:**
**Shri D. J. Naik:**
**Shrimati Jyotsna Chanda:**
**Shri P. R. Chakraverti:**
**Shri Yamuna Prasad Mandal:**
**Shrimati Savitri Nigam:**
**Shri N. P. Yadab:**
**Shrimati Akkamma Devi:**

Will the Minister of **Rehabilitation** be pleased to refer to the reply given to Short Notice Question No. 21 on the 30th April, 1964 and state:

(a) what modifications have since been and are being made in the economic and administrative set up of the Garo Hills and Mizo Hills areas of Assam consequent on the pressure of refugees;

(b) the latest position of refugees in these areas; and

(c) the steps being taken to meet the special difficulties in the rehabilitation work in these areas?

**The Minister of Rehabilitation (Shri Tyagi):** (a) to (c). The bulk of the migrants who have come into Garo Hill area have already been removed to camps in Goalpara Subdivision which are more easily accessible during the monsoon. At present there are only two camps in Garo Hills accommodating about 20,000 persons. For absorbing the migrants who will be settled in Garo Hills area, the economy of the area would be developed by soil conservation and terracing and construction of roads as well as industrial schemes linked with a coal mining project and a thermal power project.

It has been decided to shift all the migrants numbering over 10,000 persons who have entered Mizo Hills

district to camps in Cachar district which are being put up.

The State Government have set up a separate Relief and Rehabilitation Department and have posted the necessary field staff to tackle the problem of refugees.

**L.I.C. Housing Scheme**

*28. **Shri Subodh Hansda:**
**Shri S. C. Samanta:**
**Shri D. C. Sharma:**
**Shrimati Jyotsna Chanda:**
**Shri Yashpal Singh:**

Will the Minister of **Finance** be pleased to state:

(a) whether the new housing scheme of L.I.C. has made any progress;

(b) if so, how many policies have been issued so far and the amount of such policies; and

(c) the number of applications received from the policy holders for grants of loans?

**The Minister of Planning (Shri B. R. Bhagat):** (a) As the Scheme has been in operation only for a very short period, it is not possible at this stage to express any clear opinion.

(b) The figures are not readily available but the information is being collected and will be laid on the Table of the House.

(c) The number of applications received upto the end of April, 1964, was 991.

**Increase in Dearness Allowance**

*29. **Shri Nambiar:**
**Shri Onkar Lal Berwa:**
**Shri Gokaran Prasad:**
**Shri S. M. Banerjee:**
**Shri Priya Gupta:**

Will the Minister of **Finance** be pleased to state:

(a) whether Government are aware of the serious discontent prevailing on account of the very meagre increase in Dearness Allowance granted to the Central Government Employees;

(b) whether this increase fully neutralises the rise in cost of living;

(c) whether the increase granted is in accordance with the recommendations of the Second Pay Commission; and

(d) the steps proposed to be taken to remove the discontent?

**The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha):** (a) Some representations have been received saying that the recent increases in dearness allowance are inadequate.

(b) No, Sir. The recent increase ensures at the minimum of each slab up to Rs. 300, roughly 75% neutralisation of the total rise of 20 points since 1-7-59 in the average price index over a period of 12 months.

(c) Yes, Sir.

(d) Does not arise.

**"Affairs of Sri Sriram Durga Prasad of Nagpur"**

*30. **Shri Hari Vishnu Kamath:** Will the Minister of **Finance** be pleased to refer to the reply given to Starred Question No. 439 on the 5th March, 1964 and state:

(a) whether the investigation into the affairs of Sri Sriram Durga Prasad of Nagpur has been completed; and

(b) if so, with what result?

**The Minister of Planning (Shri B. R. Bhagat):** (a) Investigations are still in progress.

(b) Does not arise.

**State Financial Corporations**

*31. **Maharajkumar Vijaya Ananda:** Will the Minister of **Finance** be pleased to refer to the reply given to Starred Question No. 345 on the 27th February, 1964 and state the action taken or proposed to be taken by Government on the recommendations of the Working Group on the State Financial Corporations?

**The Minister of Planning (Shri B. R. Bhagat):** A statement is laid on the Table of the House.

STATEMENT

One of the major recommendations of the Working Group on State Financial Corporations set up by the Reserve Bank of India, related to the creation by the Reserve Bank of India of a Special Fund, viz., "National Industrial Credit (Long-Term Operations) Fund", to serve as a standby for supplementing the resources of State Financial Corporations. The Industrial Development Bank of India Act, 1964 which has recently been enacted provides *vide* Section 38 of the Act, by amendment of the Reserve Bank of India Act, 1934 for the creation of such a Fund in the Reserve Bank of India, to advance loans or subscribe to the bonds and debentures of the Industrial Development Bank. With the help of the resources, thus made available to it by the Reserve Bank from this Fund, in addition to its other funds, the Industrial Development Bank when set up, will be able to augment the resources of the State Financial Corporations by subscribing to their stocks, shares, bonds or debentures or by refinancing the loans granted by the Corporations to industrial concerns.

The other recommendations are under consideration of the Reserve Bank of India and Government will consider what action should be taken on them on receipt of their comments.

**Transit Camps in M.P.**

*32. **Shri P. R. Chakraverti:**
**Shrimati Savitri Nigam:**
**Shri Yamuna Prasad:**
**Shri N. P. Yadab:**
**Shrimati Akkamma Devi:**
**Shri P. Venkatasubbaiah:**
**Shri K. N. Tiwary:**

Will the Minister of **Rehabilitation** be pleased to state:

(a) whether it is a fact that the Madhya Pradesh Government have expressed their readiness to open a few more transit camps in the State to receive refugees from East Pakistan;

(b) the total number of refugees now living in different camps in M.P. State; and

(c) whether the State Government have suggested to the Central Government that there should be a suspension of the movement of the displaced persons to the existing four camps in the Raipur Division?

**The Minister of Rehabilitation (Shri Tyagi):** (a) Yes, Sir. The State Government have agreed to three more transit camps to be opened in that State.

(b) 21,436 families consisting of 90,979 persons.

(c) Yes, Sir.

**"Representations from Handloom Industry"**

*33. **Shri D. D. Puri:** Will the Minister of **Finance** be pleased to state:

(a) whether Government have received representations from the Handloom Industry about the difficulty created by the increased levies of excise duty on yarn proposed in the current year's budget; and

(b) if so, the action taken thereon.

**The Minister of Planning (Shri B. R. Bhagat):** (a) Yes, Sir.

(b) After careful consideration of the representations received, relief of 5 nP. per Kg. in effective rates of duty on cotton yarn, whether in hanks or in other forms, of 22 or more NF counts but less than 34 NF counts has already been announced on the floor of the House on the 17th April, 1964.

**Visit of U.S. Businessmen**

*35. **Shri Indrajit Gupta:**
**Shri Rameshwar Tantia:**
**Shri Onkar Lal Berwa:**
**Shri Dhaon:**
**Shri S. C. Samanta:**
**Shri Subodh Hansda:**
**Shri B. K. Das:**
**Shri Ram Harkh Yadav:**
**Shri Prakash Vir Shastri:**
**Shri Tridib Kumar Chaudhuri:**

Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that some steps have been taken to facilitate the flow of U.S. capital as a result of the U.S. businessmen's recent visit to India; and

(b) whether Government have received any report or suggestions from the U.S. Businessmen regarding investment "climate" in India?

**The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha):** (a) and (b). The team of U.S. businessmen who visited New Delhi sought to acquaint themselves with the implications of Government of India's Industrial procedures and Policy and further investment opportunities in this country. The discussions with the U.S. Businessmen were of a general and exploratory nature.

**Third Plan Shortfalls**

*36. **Shri R. Barua:**
**Shri P. K. Deo:**

Will the Minister of **Planning** be pleased to state:

(a) whether it is a fact that some State Governments have asked for additional Central assistance to make up shortfalls in different sectors in order to carry on the actual of the Third Plan Outlay;

(b) if so, the names of such States; and

(c) Central Government's reaction to the State Governments' requirements?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) to (c). During 1961-65 Central assistance has been allocated to states on the basis of the detailed assessment of resources and examination of projects/programmes, made in the annual plan discussions with the State Governments. The allocation in the final year of the Third Five Year Plan will be determined after similar consultations with the State Governments.

**C.G.H.S.**

*37. **Shri Rameshwar Tantia:**
**Shri Bishanchander Seth:**
**Shri Dhaon:**
**Shri Ram Harkh Yadav:**

Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that Government propose to extend the Central Government Health Scheme to non-Government employees also in Delhi;

(b) if so, when it is likely to be implemented; and

(c) the areas to be covered by this scheme?

**The Minister of Health (Dr. Sushila Nayar):** (a) to (c). It is proposed to offer medical facilities on the lines of the C.G.H. Scheme to nonentitled members of Government Servant's families and to non-Government population living in Kidwai Nagar, Andrews Ganj, Moti Bagh and Laxmibai Nagar on an experimental basis from June, 1964. Applications have been invited from those who wish to join the scheme.

**Camps for Refugees from East Pakistan**

*38. **Shri Tridib Kumar Chaudhuri:**
**Shri Gokulananda Mohanty:**
**Shri S. M. Banerjee:**
**Shri P. C. Borooah:**

Will the Minister of **Rehabilitation** be pleased to state:

(a) the number of transit and work-site camps opened in different States outside West Bengal for new refugees arrived from East Pakistan since 1st January, 1964 with the location of each camp, the name of the State in which it is situated and the refugees lodged in each camp;

(b) the totol number of desertions from these camps; and

(c) whether any investigations have been held as to the reasons for those desertion and the result thereof?

**The Minister of Rehabilitation (Shri Tyagi):** (a) A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-2902/64].

(b) 1,245 families consisting of about 5,600 persons have so far deserted from various camps.

(c) According to reports received from State Governments, desertions are due to reluctance to do manual work and demand for agricultural land. Some of the desertions are also reported to be due to excessive heat.

**Diversion of Housing Funds**

*39. **Shri Yashpal Singh:** Will the Minister of **Works and Housing** be pleased to state:

(a) whether it is a fact that funds earmarked for housing are being diverted by State Governments to other schemes;

(b) if so, the names of the States concerned and the amounts involved during the last three years; and

(c) the action proposed to be taken to put a check on this?

**The Minister of Works and Housing (Shri Mehr Chand Khanna):** (a) and (b). Information is being collected and will be placed on the Table of the Sabha.

(c) The Planning Commission have been requested to consider the desirability of issuing instructions to the State Governments that they should make a larger provision for housing in the remaining two years of the Plan and ensure that funds earmarked for it are not diverted to other development heads.

**Old Age Pension**

*40. **Shri Subodh Hansda:**
**Shri S. C. Samanta:**
**Shri Rishang Keishing:**
**Shri Rameshwar Tantia:**
**Shri Onkar Lal Berwa:**
**Shri Dhaon:**
**Shri D. C. Sharma:**

Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that Government propose to introduce old age pension in the current year;

(b) if so, in what places and what is the age limit fixed for this purpose; and

(c) the conditions prescribed for eligibility of this pension?

**The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha):** (a) The matter mainly concerns the State Governments, some of whom already have instituted schemes of old age pension.

(b) and (c). Do not arise.

**Loan from Czechoslovakia**

*41. **Shri P. C. Borooah:**
**Shri P. R. Chakraverty:**
**Shri Yamuna Prasad Mandal:**
**Shri N. P. Yadab:**

**Shri Ram Harkh Yadav:**
**Shri Mohammad Elias:**
**Shri Vishram Prasad:**

Will the Minister of **Finance** be pleased to state:

(a) whether an agreement for a Czech loan to India equivalent to Rs. 40 crores has recently been signed,

(b) if so, the terms of the agreement: and

(c) the projects proposed to be financed therewith?

**The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha):** (a) to (c). A statement is laid on the Table of the House.

STATEMENT

An agreement for a credit of Rs. 40 crores was signed on 11-5-1964. The credit carries interest at $2\frac{1}{2}$ per cent. It is repayable in rupees, the rupees to be utilised for financing export of Indian goods to Czechoslovakia. In the case of projects, the period of repayment is spread over a period of 12 years commencing one year after final delivery of equipment. For components, the period of repayment is 8 years.

2. The projects to be financed under the credit include two new machine tools factory, one power station of 2 X 110 MW, a new tractor factory, additional foundry and forge capacity, and expansion of high pressure boiler plant at Tiruchirapalli and the heavy power equipment plant at Hyderabad. The components to be imported under this credit will cover the requirements of Indo-Czech ventures as might be mutally agreed. This would cover the requirements of the plants at Tiruchirapalli, Hyderabad and Ranchi as also the requirements of Walchandnagar industries for the manufacture of cement plants.

**C.G.H.S.**

*42. **Shri Rameshwar Tantia:**
**Shri Bishanchander Seth:**
**Shri Dhaon:**

Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that Government propose to include in the Central Government Health Scheme all members of Government servant's family; and

(b) if so, when and whether they will have to pay more or on the existing rate?

**The Minister of Health (Dr. Sushila Nayar):** (a) and (b). The term 'family' for the purposes of the Scheme shall consist of the Government servant's wife or husband, as the case may be, children and step-children and parents who are mainly dependent on and residing with the Government servant concerned.

The question of enlarging the content of the term 'family' is under examination. Details are still to be finalised.

**Damodar Valley Corporation**

*43. **Shri Subodh Hansda:**
**Shri S. C. Samanta:**

Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether irrigation potential was fully created in 1963-64 as envisaged in the plan of Damodar Valley Corporation;

(b) if not, the reasons therefor;

(c) whether the created potential was also fully utilised both for *kharif* and *rabi* cultivation in 1963-64; and

(d) if not, the reasons therefor?

**The Minister of Irrigation and Power (Dr. K. L. Rao):** (a) to (d). A statement is laid on the Table of the House.

STATEMENT

The DVC irrigation command is 9,73,000 acres for kharif and water for irrigation of this acreage is available. Water courses and field chan-

nels have been completed for irrigating about 7,15,000 acres during *kharif*. This figure may, therefore, be taken as the present *kharif* potential. For *Rabi* water is available for irrigating about 55,000 acres.

The actual irrigation in 1963-64 according to the West Bengal Government was about 6,33,000 acres during *kharif* and 36,000 acres during *Rabi* The lag in creation of Kharif potential envisaged is mainly due to the non-execution of certain extension and improvement works and water-courses for which the DVC was responsible, and the field channels which are the responsibility of the Government of West Bengal. The delay in the completion of the works to be done by the D.V.C. as stated above has been partly due to the uncretainty created by the proposal for transfer of the barrage and irrigation canals to the Government of West Bengal.

The shortfall in Rabi irrigation has been due mainly to the non-development of Rabi cultivation in the area.

With the recent permanent transfer of the barrage and irrigation canals to the Government of West Bengal on an agency basis, it is hoped that it will be possible to remove the present obstacles to the creation and utilisation of the full irrigation potential.

### Steel Plants

*44. **Shri P. K. Deo:**
**Shri Rameshwar Tantia:**
**Shri Onkar Lal Berwa:**
**Shri Dhaon:**
**Shri Mohsin:**
**Shri P. Venkatasubbaiah:**
**Shri D. D. Mantri:**
**Shri M. Rampure:**
**Shri R. Barua:**
**Shri Bishanchander Seth:**
**Shri Hukam Chand Kachhavaiya:**
**Shri D. C. Sharma:**

Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to refer to the reply given to Starred Question No. 95 on the 14th February, 1964 and state the latest position regarding the setting up of steel plants in Goa-Hospet and Bailadilla-Vishakhapatnam regions?

**The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam):** The feasibility reports on setting up of steel plants in the Goa-Hospet and Bailadilla-Vishakhapatnam regions have been received. A Technical Committee has been appointed to study these reports and recommend sites in the order of their economic viability. The Committee is expected to report by the end of June, 1964.

### Public Undertakings

***45. Shri Harish Chandra Mathur:** Will the Minister of **Industry** be pleased to state:

(a) whether note has been taken of the fact that there is abnormal overstaffing and great wastage in luxuries and non-essentials in public undertakings; and

(b) the total quantum of economy that could be expected?

**The Minister of Industry (Shri Kanungo):** (a) and (b): The Estimates Committee in their 52nd and 50th Reports (Third Lok Sabha) relating to Personnel Policies of Public Undertakings have referred to these aspects and made various recommendations and suggestions. These are under examination in the different Ministries concerned. It is not possible at this stage to give an estimate of any economy that may be possible.

### विकासोन्मुख देशों के लिये विशेष सहायता कोष

*४६. श्री म० ला० द्विवेदी :
श्री स० चं० सामन्त :
श्रीमती सावित्री निगम :
श्री दाजी :
श्री प्र० के० देव :
श्री प्र० रं० चक्रवर्ती :
श्री यमुना प्रसाद मंडल :
श्री न० प्र० यादव :

**श्रीमती अक्कम्मा देवी :**
**श्री प्र० चं० बरुआ :**

क्या **अन्तर्राष्ट्रीय व्यापार** मंत्री यह बताने की कृपा करेंगे कि :

(क) संयुक्त राष्ट्र विश्व व्यापार और विकास सम्मेलन के अवसर पर जेनेवा में ब्रिटेन तथा स्वीडन की ओर से विकासोन्मुख देशों के लिये विशेष सहायता कोष की स्थापना का जो सुझाव दिया गया था उसमें क्या प्रगति हुई है ;

(ख) क्या इस प्रकार के प्रस्ताव किन्हीं अन्य राष्ट्रों ने भी रखे थे और यदि हां, तो उनकी मोटी मोटी बातें क्या हैं ; और

(ग) क्या भारत इसमें भाग ले सकता है तथा उसे किस प्रकार का सहयोग देना पड़ेगा और उससे क्या लाभ होंगे ?

**अन्तर्राष्ट्रीय व्यापार मंत्री (श्री मनुभाई शाह)** : (क) से (ग). सम्मेलन में अनेक प्रस्ताव रखे गये हैं और वे सम्मेलन की एक प्रमुख समिति के विचाराधीन हैं । इनके अन्तिम परिणाम का तभी पता चल सकेगा जब कि सम्मेलन का पूर्ण अधिवेशन फिर से शुरू होगा । हमने भी ऐसा ही एक प्रस्ताव रखा है और उसका समर्थन किया है ।

### Loans to TISCO and IISCO

*47. **Shri S. M. Banerjee:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to refer to the reply given to Starred Question No. 989 on the 10th April, 1964 and state:

(a) the further steps taken to realise the loan from TISCO and IISCO; and

(b) whether both these concerns have expressed their inability to repay the loan?

**The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam):** (a) and (b). Discussions have been recently held with the representatives of the Tata Iron and Steel Company and the Indian Iron and Steel Company regarding the repayment of the special advances made to those companies. These discussions have proceeded satisfactorily and it is hoped to reach final agreement shortly on the manner of repayment.

### Additional Steel Plant

*48. **Dr. L. M. Singhvi:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether Government's exploration of the possibility of establishing another steel plant in addition to and apart from Bokaro has met with any noteworthy measure of success so far; and

(b) the broad basis and outline of the proposal for an additional steel plant?

**The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam):** (a) and (b): The feasibility studies on the setting up of a steel plant in the Goa-Hospet and Bailadila-Vishakhapatnam areas, have been received. A Technicial Committee has been appointed to study these reports and recommend sites in the order of their economic viability. Government will be in a position to take a location decision on the receipt of the Technical Committee's report which is expected by the end of June 1964. The detailed project report on the proposed Neyveli-Salem steel plant is expected from the consultants shortly.

### Slag Cement Plant, Durgapur

*49. **Dr. P. N. Khan:**
**Shri Subodh Hansda:**

Will the Minister of **Industry** be pleased to state:

(a) whether it is a fact that there is a plan to utilise the slag from Durgapur Steel plant for manufacture of cement;

(b) if so, when this project is likely to be taken up for execution; and

(c) the proposed capacity of this plant?

**The Minister of Industry (Shri Kanungo)**: (a) to (c). For the manufacture of slag cement, slag will first have to be granulated. The Durgapur Steel Plant is setting up a slag granulation plant with an annual capacity of 350,000 tonnes. By adding an equal quantity of cement clinker to this, about 700,000 tonnes of slag cement can be produced at Durgapur. One scheme for the manufacture of about 243,000 tonnes of slag cement has already been licenced, and two more applications for grant of licence for the manufacture of slag cement at Durgapur are under consideration.

**Export of Iron Ore**

*50. **Shri D. C. Sharma:**
**Shri Onkar Lal Berwa:**
**Shrimati Savitri Nigam:**
**Shri Vishwa Nath Pandey:**
**Shri Subodh Hansda:**
**Shri Mohammad Ellas:**
**Shri Ramachandra Ulaka:**
**Shri Dhuleshwar Meena:**

Will the Minister of **International Trade** be pleased to state:

(a) whether the proposal to set up a high-power inter-ministerial board to co-ordinate various development activities to achieve the iron-ore export target of 25 to 30 million tons by 1972 and meet the internal demand has been finalised; and

(b) if so, the outline thereof?

**The Minister of International Trade (Shri Manubhai Shah)**: (a) The matter is still under consideration.

(b) Does not arise.

**Fire incident at Heavy Engineering Corporation, Ranchi**

*51. **Shri Hari Vishnu Kamath:**
**Shri Mohsin:**
**Shrimati Jyotsna Chanda:**

Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to refer to the reply given to Starred Question No. 899 on the 3rd April, 1964 and state:

(a) whether the inquiry into the recent fire incident at the Heavy Engineering Corporation, Ranchi has been concluded;

(b) if so, the main finding and conclusions thereof; and

(c) whether a report of the inquiry will be laid on the Table?

**The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam)**: (a) No, Sir.

(b) Does not arise.

(c) This will be considered on receipt of the inquiry report.

**Pig Iron Plants**

*52. **Shri P. C. Borooah:**
**Shri S. B. Patil:**
**Shri P. Venkatasubbaiah:**
**Shri S. M. Banerjee:**
**Shri P. R. Chakraverti:**
**Shrimati Savitri Nigam:**
**Shri Vishram Prasad:**
**Shri M. Rampure:**
**Shri D. D. Mantri:**

Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether it is a fact that Japanese assistance has of late been offered for the establishment of eight pig iron plants;

(b) if so, the nature and extent of the assistance offered; and

(c) the location of each plant and their individual production in capacity?

**The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam)**: (a) No, Sir.

(b) and (c). Do not arise.

**आगामी आम चुनाव**

*५३. **श्री सिद्धेश्वर प्रसाद** : क्या **विधि** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि चुनाव आयोग आगामी आम चुनावों में सारे देश भर में एक ही दिन में मतदान कराने का विचार कर रहा है ; और

(ख) यदि हां, तो क्या इस सम्बन्ध में कोई अन्तिम निर्णय कर लिया गया है ?

**विधि मंत्रालय में उपमंत्री (श्री विभु-धेन्द्र मिश्र)** : (क) जी नहीं ।

(ख) प्रश्न ही नहीं उत्पन्न होता ।

**Automobile Industry**

*54. **Shri Harish Chandra Mathur:**
**Shri Ramanathan Chettiar:**

Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) the response from Automobile Industry for pooling capacity for efficient and cheap production;

(b) Government's reaction in the matter;

(c) whether the proposal has been discussed and if so, with what result; and

(d) whether technical feasibility of the proposal has been examined and if so, the result thereof?

**The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam)**: (a) to (d). The response from the automobile industry is still awaited. They have been given time upto the end of this month. On receipt of their views Government will examine the proposal and have further discussions with the manufacturers.



**Bokaro Steel Plant**

*55. **Shri S. M. Banerjee:**
**Shrimati Savitri Nigam:**
**Shri Sham Lal Saraf:**
**Shri Onkar Lal Berwa:**
**Shri Gokaran Prasad:**
**Shri N. R. Laskar:**
**Shri Subodh Hansda:**
**Shri S. C. Samanta:**
**Shri A. S. Saigal:**
**Shri Maheswar Naik:**
**Shri Daji:**
**Shri Bibhuti Mishra:**
**Shri P. R. Chakraverti:**
**Shri Ram Harkh Yadav:**
**Shri Kolla Venkaiah:**

Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to refer to the statement made by him in the Lok Sabha on the 1st May, 1964 and state:

(a) the up-to-date progress made regarding the establishment of Bokaro Steel Plant; and

(b) whether the Soviet experts have arrived in India?

**The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam)**: (a) and (b): A statement is placed on the Table of the House.

STATEMENT

The Board of Directors of the Bokaro Steel Limited have recommended acceptance of the Project Report on Bokaro Steel Plant as amended by the Technical Committee set up to examine the Report. The Agreement with the USSR Government for assistance in the construction of the Plant might necessitate some changes in the consultancy agreement to be concluded with Messrs. Dastur & Co. Land is being acquired. Enabling works like survey and investigation are under way. Construction of the township has begun

Soviet experts are expected to arrive shortly to discuss technical details concerning the Project. Project Reports have already been sent to Russia for their technical scrutiny.

**National Productivity Council**

*56. **Dr. L. M. Singhvi:** Will the Minister of **Industry** be pleased to state:

(a) whether the National Productivity Council is somewhat overstaffed and there is comparative under-utilisation of personnel;

(b) whether the National Productivity Council has made any particular efforts recently to introduce greater co-ordination in the activities and the programming of Local Productivity Councils; and

(c) efforts made to extend productivity techniques and their awareness in the agricultural sector of our economy?

**The Minister of Industry (Shri Kanungo):** (a) to (c). A statement is laid on the Table of the House.

STATEMENT

(a) No, Sir. The strength of National Productivity Council's specialist staff has remained the same over the past 5 years although the activities have considerably increased. The growing demand for the services of its specialists has on the contrary, established a need for increasing the strength. The utilisation of the existing specialists during 1963-64 has been of the order of 90%.

(b) National Productivity Council has developed effective coordination with the Local Productivity Councils through its Regional Directorates. National Productivity Council also organises from time to time regional and all India conferences of representatives of Local Productivity Councils to discuss matters of mutual interest and chalk out integrated plans of future activities. One such conference is scheduled to be held in July this year.

(c) National Productivity Council is aware of the need for extending productivity techniques to agriculture and is exploring ways and means of effectively extending its activities to this Sector.

**Sales-Tax Exemption on Export Goods**

*57. **Shri D. C. Sharma:**
**Shri P. C. Borooah:**

Will the Minister of **International Trade** be pleased to state:

(a) whether the committee on sales tax set up by Government has suggested sales tax exemption on export goods; and

(b) if so, the action taken or proposed to be taken on the suggestion?

**The Minister of International Trade (Shri Manubhai Shah):** (a) Yes, Sir.

(b) The Report submitted by the Committee is under examination.

**General Elections in Kerala**

*58. **Shri Hari Vishnu Kamath:** Will the Mnister of **Law** be pleased to refer to the reply given to Starred Question No. 1105 on the 17th April, 1964 and state:

(a) whether a final decision has been taken in the matter of holding the next General Elections in Kerala in 1965; and

(b) if so, the nature thereof?

**The Deputy Minister in the Ministry of Law (Shri Bibudhendra Misra):** (a) and (b). No final decision has been taken yet, as to whether any legislation should be introduced in parliament for extending the normal term of the Kerala Legislative Assembly beyond 1965 so as to hold the elections to the Kerala Legislative Assembly along with the General Elections of 1967 to the Lok Sabha and other State Assemblies. If the term of the Kerala Legislative Assembly is not so extended by Parliament under clause (1) of article 172 of the Constitution, the elections to the Kerala Legislative Assembly will have to be held early in 1965. The matter is still under consideration.

**Tea Exports**

*59. **Shri P. C. Borooah:** Will the Minister of **International Trade** be pleased to state:

(a) whether the exports of tea declined during 1963-64;

(b) if so, to what extent and to which countries; and

(c) the main reasons for this decline?

**The Minister of International Trade (Shri Manubhai Shah):** (a) and (b), Yes, Sir, to the extent of 11·5 m. kg compared to 1962-63. The decline in exports was to the UK, Ireland, Iran, Turkey, Sudan, the USA and Australia.

(c). Lower production in India resulting from adverse weather condition during the two consecutive years viz., 1962 and 1963 which reduced the availability of tea. Also the 10-12 day closure of tea auctions and exports of tea during January, 1964 due to civil disturbances lost us about Rs. 10 to 12 crores worth of tea exports.

**Aluminium Projects**

*60. **Shri D. C. Sharma:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether it has been decided in principle that the future aluminium projects should be in the public sector; and

(b) if so, the reasons therefor?

**The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam):** (a) No Sir.

(b). Does not arise.

**Import of Raw Materials**

*61 **Shri P. C. Borooah:**
**Shri Rameshwar Tantia:**
**Shri Dhaon:**
**Shri Bishanchander Seth:**

Will the Minister of **International Trade** be pleased to state:

(a) whether further foreign exchange facilities are proposed to be extended to manufacturers and exporters for the import of raw materials, components and spares required by them in pursuance of Mudaliar Committee's recommendations; and

(b) if so, the precise nature of the proposal?

**The Minister of International Trade (Shri Manubhai Shah):** (a) and (b). In pursuance of the recommendations made by the Mudaliar and Mathrani Committees, a scheme is being introduced to augment the foreign exchange facilities available to exports for import of raw materials, components and spares required by them. An outline of the proposed scheme is laid on the Table of the House.

STATEMENT

Under the proposed scheme, commercial banks dealing in foreign exchange will obtain lines of credit from their principals, branches or correspondents abroad on the strength of an assurance from the Reserve Bank of India that necessary foreign exchange will be released to repay the credits by the due date. Against these lines of credit, exporters of proved export performance and recommended by the bank concerned will, on approval by a Committee to be appointed for this purpose by the Union Government, be granted import licences for raw materials, components and spares.

2. The exporter will be required to execute a bond undertaking to effect specified exports within a stipulated period. The import licences will be issued only for the value of raw materials components permissible under the appropriate export promotion scheme and required for the production of the goods to be exported.

3. In the event of any failure on the part of the exporter to fulfil his obligation to effect additional exports, the equivalent amount of foreign exchange will be debited to his entitlement as an Actual User, in addition to other penalties under the scheme.

4. The facility will be available to manufacturer-exporters in specified industries. To start with, applications from manufacturer-exporters of only non-traditional export items such as covered by the Engineering and Chemicals Export Promotion Councils etc. will be considered.

5. The applications will be scrutinised by the inter-ministerial committee whose decisions will be final. The exporter will have to undertake to negotiate documents through the Bank approved for this purpose under the scheme.

The Export Credit and Guarantee Corporation (C.C.G.C.) will be the Agency for the purpose.

**Harassment of Minorities in East Pakistan**

*71. **Shri S. N. Chaturvedi:** Will the **Prime Minister** be pleased to state:

(a) whether the exodus of minorities from East Pakistan has continued unabated and they continue to be harassed by Pakistani Police and customs personnel at the border posts as before, even after the meeting of the Home Ministers of India and Pakistan; and

(b) if so, the action taken in the matter?

**The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon):** (a) and (b). Yes Sir, it is regrettable that the influx of minorities from East Pakistan into India is continuing unabated and that they are still being harassed in transit. We are continuing to remind Pakistan to restore a sense of security amongst its minorities and accord them safe conduct in transit through Pakistan.

**Commonwealth Prime Ministers Conference**

*72. **Shri Rameshwar Tantia:**
**Shri Bishamchander Seth:**
**Shri Dhaon:**
**Shri Hukam Chand Kachhavaiya:**
**Shri Y. D. Singh:**

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that he has protested to the British Prime Minister regarding extending of invitation to Mr. Ian Smith, Premier of Minority Government in Southern Rhodesia;

(b) if so, what was India's objection; and

(c) whether any reply has been received from the British Prime Minister?

**The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh):** (a) No, Sir. However, in response to a communication from the British Prime Minister seeking the views of the Government of India on a possible invitation to the Prime Minister of Southern Rhodesia, the Prime Minister informed the British Prime Minister that we are not in favour of such an invitation being issued.

(b) Commonwealth Prime Ministers' Conferences are to be attended by Heads of independent Commonwealth Governments. Southern Rhodesia is not an independent country. As such the Prime Minister of Southern Rhodesia is not entitled to an invitation. Moreover, the racial and other discriminatory policies of the minority Government of Southern Rhodesia make it difficult for us to consider relaxation of the condition.

(c) Yes, Sir.

**Peace Talks in Nagaland**

*73. **Shri P. C. Borooah:**
**Shri Heda:**
**Shri Sivamurthi Swamy:**
**Shri Yamuna Prasad Mandal:**
**Shri Sadhu Ram:**
**Shri P. R. Chakraverti:**

Shrimati Savitri Nigam:
Shri S. N. Chaturvedi:
Shri P. K. Deo:
Shri Hem Barua:

Will the **Prime Minister** be pleased to state the extent of success achieved by the Peace Mission comprising Rev. Michael Scott, Shri J. P. Narayan and the Chief Minister of Assam, towards establishment of peace in Nagaland?

**The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon):** Certain terms have been proposed for the cessation of violent activities by the hostiles and these are still under consideration. It is only when these terms are finally settled that an estimate can be made of the measure of success achieved by the Peace Mission.

**Foreign Military Aid**

*74. Shri Heda:
Shri Prakash Vir Shastri:
Shri P. R. Chakraverti:
Shrimati Savitri Nigam:
Shri Bibhuti Mishra:
Shri P. C. Borooah:
Dr. L. M. Singhvi:
Dr. Mahadeva Prasad:

Will the Minister of **Defence** be pleased to state:

(a) whether Government have concluded their negotiations with the U.S.A., U.S.S.R. and other countries for military aid; and

(b) if so, whether any gap is still left in the targets set forth?

**The Minister of Defence (Shri Y. B. Chavan):** (a) Not yet; Sir.

(b) Does not arise.

**New Ordnance Factories**

*75. Shri D. D. Mantri:
Shri Bishwanath Roy:
Shri Dhaon:
Shri Bishanchander Seth:
Shri P. C. Borooah:
Shri M. Rampure:
Shri A. V. Raghavan:

Will the Minister of **Defence** be pleased to state:

(a) whether Government have planned to set up six new Ordnance Factories to strengthen the country's defence potential;

(b) whether foreign aid and collaboration required for the purpose have been arranged and if so, from which countries;

(c) what will be the cost of each of the new projects and the nature of items to be manufactured; and

(d) whether sites for location of the projects have been selected?

**The Minister of Defence Production in the Ministry of Defence (Shri Raghuramaiah):** (a) Yes, Sir. The establishment of four new Ordnance Factories has been sanctioned and work commenced. The establishment of the remaining two factories is under consideration.

(b) No foreign collaboration is contemplated; but foreign aid has been made available, towards the establishment of two factories—Small Arms Ammunition Factory, Varangaon, and Filling Factory, Chanda from the U.S.A. and U.K. respectively.

(c) At Varangaon, the manufacture ammunition for Small Arms is planned. At Ambhazari, the manufacture of Motors and Shells for gun ammunition is planned. At Chanda facilities are being established for the filling of ammunition items manufactured at Ambhazari. At Tirchurapalli, the manufacture of Small Arms is planned. The establishment of the two remaining factories related to the manufacture of explosives and propellants is under consideration. The total cost of establishing these

factories will be of the order of Rs. 160 crores. It is considered to be not in public interest to give the individual cost of each project.

(d) Yes, Sir.

## Goa

*76. **Shri P. Venkatasubbaiah:** Will the **Prime Minister** be pleased to state:

(a) whether Government have finally decided to transfer the administration of Goa from the External Affairs Ministry to Home Ministry; and

(b) if so, for what reasons?

**The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon):** (a) No Sir.

(b) Does not arise.

## Indian Delegations to African Countries

*77. **Shri P. R. Chakraverti:**
**Shrimati Savitri Nigam:**
**Shri Indrajit Gupta:**
**Shri P. C. Borooah:**
**Shri Sidheshwar Prasad:**

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that Indian goodwill missions have recently been sent to West Asian countries and North Africa;

(b) the purpose of their visit;

(c) the composition of the delegations so deputed and the countries visited by them; and

(d) the broad features of that report?

**The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh):** (a) to (d). A statement is placed on the Table of the House.

STATEMENT

Two unofficial goodwill delegations have toured the following countries in West Asia and Africa, in order to meet the leaders and the people of these countries and promote goodwill for India and understanding of her problems, specially in respect of Kashmir and the Chinese aggression.

2. The delegations were composed of the following:

*Delegation No.* (1)

| *Members* | *Places visited* |
|---|---|
| 1. Col. Zaidi, M.P. | Aden, Jeddah, Mogadishu, |
| 2. Prof. Bokhari, New College, Madras. | Khartoum, Tripoli, |
| 3. Maulana Syed Abdullah Bukhari, Shahi Imam of Jama Masjid. | Damascus, Baghdad, and Amman. |
| 4. Shri Nazir Hussain, Secretary to the Delegation. | |

*Delegation No.* (2)

| | |
|---|---|
| 1. Shri Sadiq Ali, M.P. | Tunis, Algiers, Rabat, Lagos, Beirut and Cairo. |
| 2. Shri S. A. Mehdi, M.P. | |
| 3. Shri Hayatullah Ansari, Editor, "Qami Awaz". | |
| 4. Shri H. Sameul, Ex-MP | |
| 5. Shri Akbarabadi-Dean of Aligarh University. | |

3. No report has been submitted so far.

## Wage Board for Cotton Textile Industry

*78. **Shri Eswara Reddy:** Will the Minister of **Labour and Employment** be pleased to state:

(a) when the Second Wage Board for Cotton Textile Industry is likely to be appointed;

(b) whether the composition and terms of reference of the Board have been finalised; and

(c) if so, the particulars thereof?

**The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malaviya):** (a) In the near future.

(b) and (c). The terms of reference and the composition are in the process of being finalised.

**Wage Board for Port and Dock Workers**

*79. **Shri Indrajit Gupta:**
**Shri Kolla Venkaiah:**

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether the composition and terms of reference of the proposed wage board for port and dock workers have been finalised; and

(b) whether the board's scope will include employees under all port trusts, port administrators, stevedores, as well as those directly employed by dock labour boards?

**The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya):** (a) and (b). Proposals in regard to the composition, terms of reference and coverage of the proposed wage board for port and dock workers, are under consideration. Decisions on these are expected to be taken shortly.

**U.S. Collaboration for Supersonics**

*80. **Shri P. K. Deo:**
**Shri Rameshwar Tantia:**
**Shri Bishanchander Seth:**
**Shri Onkar Lal Berwa:**
**Shri Dhaon:**
**Dr. P. N. Khan:**
**Shri Subodh Hansda:**
**Shri S. C. Samanta:**
**Shri S. M. Banerjee:**
**Shrimati Savitri Nigam:**
**Shri P. C. Borooah:**
**Shri Maheswar Naik:**
**Shri P. R. Chakraverti:**
**Shri S. N. Chaturvedi:**
**Shri Shinkre:**

Will the Minister of **Defence** be pleased to state:

(a) whether any agreement has been reached with the U.S.A. Government for the manufacture of supersonic jet fighters in India;

(b) if so, the main features of the agreement; and

(c) where the factory will be located and when the production will begin?

**The Minister of Defence Production in the Ministry of Defence (Shri Raghuramaiah):** (a) No, Sir.

(b) and (c). Do not arise.

**Newsprint**

*81. **Shri Rameshwar Tantia:**
**Shri Onkar Lal Berwa:**
**Shri Dhaon:**
**Shri Yashpal Singh:**
**Shri Gokaran Prasad:**
**Shri Sidheshwar Prasad:**
**Dr. L. M. Singhvi:**

Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether Government are formulating a comprehensive scheme on newsprint policy;

(b) if so, what are the main points; and

(c) when it is likely to be announced?

**The Minister of Parliamentary Affairs and Minister of Information and Broadcasting (Shri Satya Narayan Sinha):** (a) The question of formulating a comprehensive scheme on newsprint policy is under consideration.

(b) and (c). The scheme will be announced as soon as it is finalised.

**Defence Plan**

*82. **Shri D. C. Sharma:**
**Shri Rameshwar Tantia:**
**Shri Onkar Lal Berwa:**
**Shri Dhaon:**
**Shri Yallamanda Reddy:**
**Shri P. C. Borooah:**

Will the Minister of **Defence** be pleased to state:

(a) whether a defence plan has been prepared for building up the

country's defence potential during the next five years; and

(b) if so, the sailent features thereof?

**The Minister of Defence (Shri Y. B. Chavan):** (a) Yes, Sir.

(b) The Plan provides for the build-up of an Army of 8,25,000 and the modernisation of its weapons and equipment, the stabilising of the Air Force at 45 Squadrons, equipping of the Air Force with modern aircraft and provision of suitable ancillary facilities like aerodromes, communications, etc. the maintenance of the Navy generally at its present strength with replacement of vessels which have become overage with ships which may be freshly procured or constructed within the country, the establishment of production facilities within the country so that dependence by the Services on supplies from abroad is reduced materially, the construction and improvement of communications all along our borders and expansion of the Research and Development organisation. It would not be in the public interest to disclose further details about the Plan.

**Office of Assistant High Commissioner for Pakistan in Shillong**

*83. **Shri Hari Vishnu Kamath:**
**Shri N. R. Laskar:**

Will the **Prime Minister** be pleased to state:

(a) whether the question of closing down the office of the Asstt. High Commissioner of Pakistan in Shillong has been further considered; and

(b) if so, with what result?

**The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon):** (a) Yes, Sir.

(b) The House will be informed when a firm decision has been taken.

**Indian Hacked to Death by Pakistanis**

*84. **Shri P. R. Chakraverti:**
**Shrimati Savitri Nigam:**
**Shrimati Akkamma Devi:**
**Shri N. P. Yadab:**
**Shri Yamuna Prasad Mandal:**
**Shri Bishanchander Seth:**
**Shri Rameshwar Tantia:**
**Shri Dhaon:**

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that four Pakistanis armed with axes and spears, hacked to death on the 9th May 1964 a villager, near Pindi Charkan in Jammu;

(b) whether the Pakistanis also carried away some heads of cattle;

(c) whether any protest has been lodged; and

(d) if so, with what result?

**The Minister of Defence (Shri Y. B. Chavan):** (a) and (b). On the night of 8th/9th May 1964, one resident of village Pindi Charkan Kalan in Jammu District was overpowered and murdered with a spear by four intruders, in the compound of his house. The culprits took along with them a bullock belonging to the deceased. The identity of the intruders has not been established.

(c) No, Sir.

(d) Does not arise.

**Border incidents**

*85. **Shri P. C. Borooah:** Will the Minister of **Defence** be pleased to state:

(a) whether Pakistan has protested to India against "Loss" of life and property of the inhabitants of the area along the cease-fire line in Kashmir in three incidents of "very serious nature" that allegedly took place in February and March 1964 and claimed compensation for the same; and

(b) if so, the facts of the incidents under reference and Government's reaction to the Pakistan demand?

**The Minister of Defence (Shri Y. B. Chavan)**: (a) Yes, Sir.

(b) The allegations made by Pakistan are under investigation.

**U. N. Observers in Kashmir**

*86. **Shri Heda:**
**Shri S. B. Patil:**
**Shri P. C. Borooah:**
**Shri K. N. Tiwary:**
**Shri S. N. Chaturvedi:**
**Dr. L. M. Singhvi:**
**Shri Naval Prabhakar:**
**Shri Shinkre:**
**Shri R. S. Pandey:**
**Shri Hem Barua:**
**Shri Indrajit Gupta:**
**Shri Kishan Pattnayak:**
**Shri Ram Sewak Yadav:**
**Shri Tridib Kumar Chaudhuri:**
**Shri N. Sreekantan Nair:**

Will the Minister of **Defence** be pleased to state:

(a) whether Government have taken any note on U.N. Military Observers stationed in Kashmir accepting memoranda from political groups and assuring them that the same would be forwarded to the U.N.; and

(b) if so, what action Government have taken to counteract such activities?

**The Minister of Defence (Shri Y. B. Chavan)**: (a) Yes, Sir.

(b) It has been pointed out to the Chief Military Observer, that such activities of the U. N. Observers are not in keeping with their charter of duties.

**Television**

**Shri S. N. Chaturvedi:**
**Shri Onkar Lal Berwa:**
**Shri Gokaran Prasad:**
*87. **Shri P. Venkatasubbaiah:**
**Shri Maheswar Naik:**
**Shri Vishram Prasad:**
**Shri R. S. Pandey:**
**Shri R. Barua:**
**Dr. P. Srinivasan:**

..Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether Government have decided to set up television stations in the country during the current plan period; and

(b) if so, the number of stations proposed to be set up and their location?

**The Minister of Parliamentary Affairs and Minister of Information and Broadcasting (Shri Satya Narayan Sinha)**: (a) and (b). Provision exists in the Third Five Year Plan for the setting up of a television station at Bombay with restricted facilities. Proposals for the installation of some television stations in the country have been received from a number of organisations from time to time and are under consideration of the Government.

**H. F.-24 for I.A.F.**

*88. **Shri Rameshwar Tantia:**
**Shri Bishanchander Seth:**
**Shri Onkar Lal Berwa:**
**Shri Dhaon:**
**Shri S. M. Banerjee:**
**Shri Mohan Swarup:**
**Shri P. C. Borooah:**
**Shri Brij Raj Singh-Kotah:**
**Shri P. R. Chakraverti:**
**Shrimati Savitri Nigam:**

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the Hindustan Aircraft Ltd., Bangalore have handed over some H. F.-24 Supersonic fighter aircraft to the Indian Airforce;

(b) whether any tests were made of this type of aircraft before handing over to the Airforce;

(c) how far these tests proved successful; and

(d) what will be the manufacturing capacity of the Hindustan Aircraft Ltd., Bangalore annually for such kind of aircraft?

**The Minister of Defence Production in the Ministry of Defence (Shri Raghuramaiah):** (a) to (c). Two HF-24 aircraft of Mark I version were handed over to the Indian Airforce on 10-5-1964. These aircraft had been tested and type clearance certificates were issued by the Inspecting Authority.

(d) It will not be in the public interest to disclose this information.

**Assassination of Bhutanese Prime Minister**

*89. **Shri Hari Vishnu Kamath:**
**Shrimati Savitri Nigam:**
**Shri Vishwa Nath Pandey:**
**Shri M. L. Dwivedi:**
**Shri P. C. Borooah:**
**Shri S. N. Chaturvedi:**
**Shri Nath Pai:**
**Shri Heda:**

Will the **Prime Minister** be pleased to refer to the reply given to Starred Questions Nos. 1293 and 1301 on the 4th May, 1964 and state:

(a) whether the investigation into the assassination of the Prime Minister of Bhutan has concluded;

(b) if so, whether the complicity of the Chinese Government in the crime has been established; and

(c) the other findings, if any, of the investigation?

**The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon):** (a) The Prime Minister of Bhutan was assassinated inside Bhutanese territory and the investigation of the case was conducted by the Bhutanese authorities. The case against some of the accused is over.

(b) It is reported that the trial court was of the view that the plot to assassinate the Prime Minister was an internal affair for which only the accused persons were responsible.

(c) The Government of India have no information about any other findings.

**Situation in Laos**

*91. **Shri D. C. Sharma:** Will the **Prime Minister** be pleased to state:

(a) whether the attention of the Government of India has been drawn to the present situation in Laos; and

(b) if so, the reaction of Government thereto?

**The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh):** (a) Yes, Sir.

(b) The Government of India are greatly concerned at recent developments which have led to grave deterioration in the situation in Laos. They are in touch with a number of other Governments about the steps that may be taken to arrive at a peaceful settlement of the problems arising in Laos.

**दामोदर घाटी निगम**

५२. **श्री सिद्धेश्वर प्रसाद** : क्या **सिंचाई और विद्युत** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केन्द्रीय सरकार ने दामोदर घाटी निगम को हाल ही में कोई सहायता देने का निर्णय किया है ;

(ख) यदि हां, तो कितनी ; और

(ग) किन कार्यों के लिए ?

**सिंचाई और विद्युत मंत्री (डा० कु० ल० राव)** : (क) जी, नहीं ।

(ख) और (ग). प्रश्न ही नहीं उठता ।

**Power Projects**

**53. Shri Ram Harkh Yadav:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether Government propose to set up regional agencies for operation of major power projects;

(b) if so, the reasons for the change; and

(c) the future of the State Electricity Boards?

**The Minister of Irrigation and Power (Dr. K. L. Rao):** (a) No.

(b) and (c). Do not arise.

**Coal Transport Problem**

**54. Shri Rameshwar Tantia:**
**Shri Onkar Lal Berwa:**
**Shri Dhaon:**

Will the Minister of **Finance** be pleased to refer to the reply given to Unstarred Question No. 2013 on the 9th April, 1964 and state:

(a) whether any final report on the coal transport problem has been submitted to Government by the World Bank Team;

(b) if so, the details thereof; and

(c) the reaction of Government thereto?

**The Minister of Finance (Shri T. T. Krishnamachari):** (a) No, Sir.

(b) Does not arise.

(c) Does not arise.

**Rise in Pay Scale of Medical Personnel**

**55. Shri Rameshwar Tantia:**
**Shri Onkar Lal Berwa:**
**Shri Dhaon:**

Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that Government have under consideration any proposal to raise the pay scales of medical personnel;

(b) if so, when the decision is likely to be taken ;

(c) whether the Centre has invited any suggestions from the State Governments in this regard; and

(d) if so, how many States have so far sent their suggestions?

**The Minister of Health (Dr. Sushila Nayar):** (a) No such general proposal is at present under consideration.

(b) Does not arise.

(c) No.

(d) Does not arise.

**कृत्रिम हृदय**

५६. **श्री ओंकार लाल बेरवा**
**श्री गोकरन प्रसाद :**

क्या **स्वास्थ्य** मंत्री यह बताने की कृपा करेंगी कि :

(क) क्या यह सच है कि पोलैंड के पोज्वान म्युनिसिपल अस्पताल के वाई० जार्ज पारडीवस्की नामक इंजीनियर ने कृत्रिम (ट्रांसिस्टर) हृदय का आविष्कार किया है, जिससे रोगी हृदय का आश्चर्यजनक ढंग से इलाज होता है ;

(ख) क्या भारत सरकार ने इस मशीन के बारे में पोलैंड की सरकार से कोई पत्र व्यवहार किया है ; और

(ग) यदि हां, तो उसका क्या परिणाम निकला ?

**स्वास्थ्य मंत्री (डा० सुशीला नायर) :** (क) भारत सरकार के पास इस बारे में कोई सूचना नहीं है ।

(ख) और (ग). ये प्रश्न नहीं उठते ।

**जवान बनाने वाला तेल**

५७. **श्री ओंकार लाल बेरवा :**
**श्री गोकरन प्रसाद :**
**श्रीमती सावित्री निगम :**
**श्री म० ला० द्विवेदी :**
**श्री विश्वनाथ पाण्डेय :**
**श्री प० ला० बारूपाल :**

क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगी कि :

(क) क्या यह सच है कि आजरबैजान के एक वैज्ञानिक द्वारा तैयार किया गया तेल उत्प्रेरक बूढ़ों को फिर से जवान बनाने की क्षमता रखता है और यह दो बूढ़े रूसियों पर किये गये प्रारम्भिक प्रयोगों ने सिद्ध कर दिया है ;

(ख) यदि हां, तो क्या सरकार इस तेल को भारत मंगा कर प्रयोग में लाने के बारे में सोच रही है ; और

(ग) यदि हां, तो कब तक ?

**स्वास्थ्य मंत्री (डा० सुशीला नायर) :** (क) से (ग) भारत सरकार ने ६ अप्रैल, १९६४ के स्टेट्समैन के नई दिल्ली संस्करण में प्रकाशित एक प्रेस रिपोर्ट देखी है जिसमें यह लिखा था कि आजरबेजान के एक विद्वान ने एक ऐसे पदार्थ की खोज की है जिसमें दीर्घायु करने और पुनः तरुण बनाने की क्षमता हो सकती है । मास्को स्थित अपने दूतावास से पूरी जानकारी प्राप्त करने के लिये कहा गया है और उनके उत्तर की प्रतीक्षा की जा रही है ।

**अमेरिका से दुग्ध चूर्ण**

५८. **श्री ओंकार लाल बेरवा :**
**श्री गोकरन प्रसाद :**

क्या पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अमेरिका ने पूर्वी पाकिस्तान से आने वालों के लिये दूध का चूरा भेजने का निश्चय किया है ; और

(ख) यदि हां, तो भारत को कितना दूध का चूरा दिया जायेगा और कब तक ?

**पुनर्वास मंत्री (श्री त्यागी) :** (क) और (ख). पूर्वी पाकिस्तान से कैम्पों में आने वाले शरणार्थियों तथा भारत में अल्पसंख्यक समुदाय के विस्थापित सदस्यों में बांटने के लिये अमेरिका की अन्तर्राष्ट्रीय विकास ऐजेन्सी ने २.२५ मिलियन पौंड दूध का चूरा देने की मंजूरी दे दी है। आरम्भिक तात्कालिक आवश्यकताओं को पूरा करने के लिये उन्होंने अप्रैल, १९६४ में एक मिलियन पौंड दूध का चूरा बम्बई के 'केयर' (CARE) स्टाक में से दिया है। अमेरिका से बकाया दूध का चूरा जहाज द्वारा भेजने की व्यवस्था की जा रही है ।

**Tikkerpara Dam Project**

59. **Shri P. K. Deo:**
**Shri Onkar Lal Berwa:**
**Shri Gokaran Prasad:**

Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether the Tikkerpara Project report has been received from the Orissa Government;

(b) the area likely to be submerged and the cost involved; and

(c) the benefits likely to accrue from the project?

**The Minister of Irrigation and Power (Dr. K. L. Rao):** (a) Yes.

(b) According to Project Report, the total submerged area will be 6,49,000 acres, of which 3,97,000 acres will be cultivable land. The Tikkerpara Dam will sumberge the towns of Athmalik, Boudh and Sonepur, besides 1200 villages. A sum of Rs. 57.62 crores has been provided in the estimate of cost for the Project for acquisition and compensation.

This includes provision for relocation of roads, highways and public utilities. Total estimated cost of this Hydro-Project is Rs. 210.51 crores, which includes the above amount.

(c) According to the Project report the project provides for 1.4 million KW of power at 60 per cent load factor. It also provides for flood control with a "surcharge storage" of 8.7 Maft. between the MWL of plus 441 ft. and elevation of plus 425 ft.

**Matatila Dam**

**60. Shri S. M. Banerjee:** Will the Minister of **Irrigation and Power** be pleased to state the progress made regarding the completion of Matatila Dam and power station in U.P.?

**The Minister of Irrigation and Power (Dr. K. L. Rao):** The Matatila Dam has been completed including erection of gates. The progress in respect of Matatila Power House is as follows:

About 90 per cent of the plant and equipment for this station has been received at site. The speed ring and the spiral casing for the unit No. 1 have been installed, aligned and levelled. These are expected to be ready for concreting by the end of this month.

The assembly of speed ring and spiral casing for the unit No. 2 is in progress.

The draft tube liner for the unit No. 3 has been grouted. The erection of the power house crane is in progress.

The penstocks for unit Nos. 1 & 3 have been laid and the work in the 2nd Unit is in progress. The work of welding of the circumferential joints of the penstocks is also in progress. Erection of guides for the intake gates is in progress.

The work of laying foundations for the sub-stations structures is also being done.

The first unit of 10,000 KW is expected to be commissioned by the end of December, 1964, and the remaining two unit of 10,000 KW each by middle of 1965.

**Epidemics in Dandakaranya**

**61. Shri S. M. Banerjee:** Will the Minister of **Rehabilitation** be pleased to state:

(a) whether there had been epidemics in Dandakaranya camps; and

(b) if so, what steps were taken to check them?

**The Minister of Rehabilitation (Shri Tyagi):** (a) No, Sir.

(b) Does not arise.

**Transplantation of Kidneys**

62. **Shrimati Savitri Nigam:**
**Shri M. K. Dwivedi:**
**Shri Vishwa Nath Pandey:**

Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that at Ludhiana doctors have successfully transplanted a kidney, taken from a dead body soon after the death, to a woman who had both kidneys damaged; and

(b) if so, whether any arrangement has been made to make such a transplantation in other Hospitals?

**The Minister of Health (Dr. Sushila Nayar):** (a) The Civil Surgeon, Ludhiana has reported that the patients died 8 hours after the operation of transplantation of kidney.

(b) No specific arrangement has been made or can be made for such operations.

**Loss of Instruments in A.I.I.M.S., New Delhi**

**63. Shri Balmiki:** Will the Minister of **Health** be pleased to refer to the reply given to Unstarred Question No. 1109 on the 12th March, 1964 and state:

(a) the result of the investigation made into the loss of surgical instruments|equipment which were reported

missing in the All-India Institute of Medical Sciences, New Delhi; and

(b) the action taken in the matter?

**The Minister of Health (Dr. Sushila Nayar):** (a) After investigation, the Police have filed the case as untraced.

(b) Departmental action is being taken against the individuals concerned.

**Rural Electrification**

**64. Shri P. Venkatasubbaiah:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether any seminar on Rural Electrification was held in March this year; and

(b) if so, the main recommendations thereof?

**The Minister of Irrigation and Power (Dr. K. L. Rao):** (a) Yes.

(b) A statement indicating main recommendations made at the Seminar is laid on the Table of the House. [*Placed in Library. See* LT-2903/64]

**Accounting System**

**65. Shri Subodh Hansda:**
**Shri S. C. Samanta:**

Will the Minister of **Finance** be pleased to state:

(a) whether there is any proposal to change the existing pattern of accounting on the pattern of commercial organisation;

(b) if so, when such system will be introduced; and

(c) whether any committee was formed for this purpose and if so, what are its recommendations?

**The Minister of Finance (Shri T. T. Krishnamachari):** (a) and (c). No Sir.

(b) Does not arise.

**Nutrition in India**

**66. Dr. P. N. Khan:**
**Shri Subodh Hansda:**

Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that a British team has come to India recently to study the Nutrition problems in India;

(b) if so, whether this team was invited by the Government of India or some other agencies;

(c) whether they will visit all parts of the country; and

(d) how long this team will study the problems?

**The Minister of Health (Dr. Sushila Nayar):** (a) No.

(b) to (d). Do not arise.

**L.I.C. Business**

**67. Shri D. C. Sharma:** Will the Minister of **Finance** be pleased to state:

(a) whether the life insurance business has shown a downfall during the first five months of the year as compared to the corresponding period in the previous year; and

(b) if so, the reasons therefor?

**The Minister of Finance (Shri T. T. Krishnamachari):** (a) and (b). The information is being collected and will be laid on the Table of the House when received.

**Akbar Hotel**

**68. Shri D. C. Sharma:** Will the Minister of **Works and Housing** be pleased to state:

(a) whether the design for Akbar Hotel proposed to be built in New Delhi has been completed; and

(b) if so, when the construction is likely to start and the time proposed to be taken for its completion?

**The Minister of Works and Housing (Shri Mehr Chand Khanna):** (a) Plans and estimates are under preparation. These will be sent to the Ministry of Finance for sanction next month.

(b) The programme can only be drawn up after the sanction has been issued.

**Ramchandra Bhanja Medical College Hospital, Cuttack**

**69. Shri Rama Chandra Mallick:** Will the Minister of **Health** be pleased to state:

(a) whether any grant or loan was given to the government of Orissa for the development of Ramachandra Bhanja Medical Hospital, Cuttack (Orissa) during 1963-64; and

(b) the amount of such grant or loans given or proposed to be given to the said hospital for the same purpose during 1964-65?

**The Minister of Health (Dr. Sushila Nayar):** (a) No such grant or loan was given during 1963-64.

(b) The question does not arise.

**Idikki Hydel Project in Kerala**

**70. Shri Maniyangadan:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether any information has been collected regarding the number of families that will have to be evicted as a result of the construction of the Idikki Hydel Project in Kerala;

(b) whether any decision has been taken regarding the mode by which compensation is to be paid; and

(c) if so, the nature thereof?

**The Minister of Irrigation and Power (Dr. K. L. Rao):** (a) Survey and Demarcation by the Kerala Government is not yet over. According to their preliminary survey, about 2200 families are to be evicted.

(b) Not yet.

(c) Does not arise.

**Willingdon Hospital, New Delhi**

**71. { Shri M. Malaichami: / Shri P. Venkatasubbaiah:**

Will the Minister of **Health** be pleased to state:

(a) whether any representation has been received regarding the plight of patients waiting in queues outside Willingdon Hospital, New Delhi for examination and treatment; and

(b) if so, whether there is any proposal to increase the number of doctors in various departments of the Willingdon Hospital, New Delhi?

**The Minister of Health (Dr. Sushila Nayar):** (a) and (b). No such representation has been received. However, a proposal for provision of additional staff is under consideration.

**Old Age Pension Scheme**

**72. { Shri M. Malaichami: / Shri P. Venkatasubbaiah:**

Will the Minister of **Finance** be pleased to state:

(a) whether any request has been received from the State Governments for the grant of Central financial assistance for implementing Old Age pension Scheme; and

(b) if so, which are the States and Government's reaction thereto?

**The Minister of Finance (Shri T. T. Krishnamachari):** (a) Yes.

(b) The requests have been received from Madras and Andhra Pradesh. The matter is under consideration

**Slums in Madras**

**73.** { **Shri Dharmalingam:** / **Shri Muthu Gounder:**

Will the Minister of **Works and Housing** be pleased to state:

(a) whether any proposal has been received from the Madras State in regard to clearance of slums in Madras; and

(b) whether any financial assistance will be provided by the centre to the Madras Corporation for the purpose?

**The Minister of Works and Housing (Shri Mehr Chand Khanna):** (a) No.

(b) The State Governments are themselves competent to sanction Slum Clearance projects within their jurisdiction and to disburse the financial assistance received from the Central Government to their local bodies.

**Irrigation and Power Schemes in Orissa**

**74. Shri Mohan Nayak:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) the total amount allocated to the Government of Orissa under the Third Five Year Plan for medium irrigation and power schemes; and

(b) the various schemes for which the said allocation was made?

**The Minister of Irrigation and Power (Dr. K. L. Rao):** (a) and (b). A statement giving the requisite information is laid on the Table of the House.

STATEMENT

| Name of Scheme | Third Plan Provision (In lakhs of rupees) |
|---|---|
| *MEDIUM IRRIGATION SCHEMES* | |
| *Continuing Schemes* | |
| 1. Salia Irrigation Project | 57·28 |
| 2. Salki Irrigation Project | 17·91 |
| 3. Bhudibudiani Project . . | 26·47 |
| 5. Godahado Irrigation Project | 29·41 |
| 5. Dhanai Irrigation Project | 20·48 |
| 6. Darjarg Irrigation Project. . | 88·18 |
| *New Schemes* | |
| £7. Pipal Panka Porject . . | 60·00 |
| £8. Siaria Irrigation Project . | |
| 9. Bahuda Stage I . . . | |
| 10. Remodelling of H. L. Canal Range II . . . | |
| 11. Hiradharbati . . . | |
| TOTAL | ££299·73 |
| *POWER SCHEMES* | |
| *Continuing Schemes* | |
| 1. Hirakud Stage II . . | 516·86 |
| 2. Duduma Transmission Scheme | 85·00 |
| 3. Hirakud Power utilisation scheme . . . . | 39·00 |
| *New Schemes* | |
| 4. Rural Electrification Scheme . | 224·00 |
| 5. Installation of Low Head turbines . . . | 10·00 |
| 6. Balimela/Upper Sileru Hydro-electric Scheme (Stage II) . | 1450·00 |
| 7. Transmission and Distribution | 518·00 |
| 8. Talcher thermal station . | 2682·49 |
| TOTAL :— . . | ££5525·35 |

£ The State Govt. have proposed to substitute Joroharbhangi and Pitamahal Projects for Pipalpanka and Siaria projects which are stated to have been dropped after geological investigations. These two schemes have not yet been included in the plan pending their clearance by the Technical Advisory Committee.

££ Provisions of Rs. 5·84 lakhs and Rs. 70 lakhs have, in addition, been included in the Plan for investigations of irrigation & power schemes respectively.

**Foreign Exchange Requirements**

**75. Maharajkumar Vijaya Ananda:** Will the Minister of **Finance** be pleased to state:

(a) whether the requirements of foreign exchange for the remaining period of the Third Five Year Plan have been estimated by Government; and

(b) if so, how Government propose to meet them?

**The Minister of Finance (Shri T. T. Krishnamachari):** (a) No, Sir.

(b) The residual requirements of the current year (1964-65) (after taking into account both our export earnings and our foreign commitments) have been posed to the India Consortium. Assistance that the latter can provide is expected to be intimated to us shortly. The appraisal of the requirements for 1965-66 will have to be taken up later this year & will in due course be posed to the Consortium.

**Assistance Under Colombo Plan**

**76. Maharajkumar Vijaya Ananda:** Will the Minister of **Finance** be pleased to state the names of the countries to which India has given assistance under the Colombo Plan during the last 3 years and the nature of the assistance given?

**The Minister of Finance (Shri T. T. Krishnamachari):** During the last 3 years, India has provided, under the Colombo Plan, technical assistance either by way of training facilities in technical institutions in India or provision of the services of technical experts to the following countries:—

Afghanistan, Australia, Bhutan, Burma, Cambodia, Ceylon, Indonesia, Malaysia, Maldive Islands, Nepal, Philippines, Republic of Korea, Thailand and Vietnam.

In addition, capital assistance has been provided to Nepal.

**Institution of National Award By the Medical Council of India**

**77. { Shri Ram Harkh Yadav: / Shri Rameshwar Tantia: / Shri Dhaon: / Shri Bishanchander Seth:**

Will the Minister of **Health** be pleased to state:

(a) whether Government are aware that the Medical Council of India have decided to institute a National Award to honour the memory of late Dr. B. C. Roy, an eminent physician statesman and national leader; and

(b) if so, the main features thereof?

**The Minister of Health (Dr. Sushila Nayar):** (a) Yes, Government are aware of the proposed institution by the Medical Council of India of a National Award to honour the memory of the late Dr. B. C. Roy.

(b) The Primary object of the Award is to recognise and reward outstanding merit in medical science and other fields. The main features of the Award are—

(i) An 'Oration' to be held every year under the auspices of the Medical Council of India.

(ii) An Award to be known as "Medical Council of India—Dr. B. C. Roy National Award" to be given to a medical-*cum*-statesman of nation-wide eminence and popularity.

(iii) Awards to eminent persons in other fields like Science, Statesmanship, Literature, Philosophy and Art.

(iv) To publish an Anniversary Souvenir.

It is also proposed to aid deserving research projects in medical colleges, grant post-graduate medical fellowships, and to encourage and recognise merit of medical teachers and talents in different branches of medicine. The Award is also proposed to recognise best services in the field of socio-medical relief and in the establishment of medical organisations and medical institutions.

**Durgapur Project's Power Plant**

78. **Shri P. R. Chakraverti**
**Shrimati Savitri Nigam**
**Shri Mohammad Elias**
**Shri S. M. Banerjee**
**Shri Dinen Bhattacharya:**

Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether it is a fact that the third unit of Durgapur Project's Power Plant has started generation of power on commercial basis from 8th May, 1964;

(b) the estimated production capacity of this unit; and

(c) the expected supply of additional power to the city of Calcutta from this Unit?

**The Minister of Irrigation and Power (Dr. K. L. Rao):** (a) Yes. But owing to a minor trouble in the boiler plant, the third unit has been shut down temporarily with effect from 18-5-64. It is expected to be recommissioned in the first week of June, 1964.

(b) 75 MW.

(c) 35 MW.

**Floods in Assam**

79. **Shri P. C. Borooah:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether rivers in Assam have been in spate following incessant rains in the State since the first week of May, 1964;

(b) the extent of land so far inundated; and

(c) the extent of damage caused to (i) life, (ii) livestock, (iii) crops and (iv) other property so far?

**The Minister of Irrigation and Power (Dr. K. L. Rao):** (a) Since 1st week of May, 1964, there have been reports of only minor floods in Assam.

(b) and (c). There has been no report of inundation of land, damage to life, livestock, crops or other property.

**सरकारी कर्मचारियों की डाक्टरी परीक्षा**

८०. **श्री हुकम चन्द कछवाय** : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगी कि :

(क) क्या यह सच है कि सरकारी पदों पर नियुक्ति के लिये चुने गये प्रार्थियों को नई दिल्ली के विलिंगडन और इर्विन अस्पतालों में डाक्टरी परीक्षा के लिये महीनों प्रतीक्षा करनी पड़ती है ;

(ख) उन प्रार्थियों की संख्या कितनी है जो १९६४ में अब तक एक महीने से

अधिक समय से डाक्टरी परीक्षा के लिये प्रतीक्षा कर रहे हैं ; और

(ग) इस काम में विलम्ब के क्या कारण हैं, और इसको दूर करने के लिये सरकार क्या कर रही है ?

**स्वास्थ्य मंत्री (डा० सुशीला नायर)** : (क) और (ख). अराजपत्रित कर्मचारियों की परीक्षा में कोई विलम्ब नहीं हुआ है, किन्तु राजपत्रित अधिकारियों के मामले में १६ उम्मीदवार विलिंगडन अस्पताल में एक माह से अधिक से प्रतीक्षा सूची में हैं।

(ग) विभिन्न राजपत्रित नियुक्तियों के लिये बहुत से उम्मीदवारों की परीक्षा की जानी थी। मेडिकल बोर्ड शीघ्रता से डाक्टरी परीक्षा पूर्ण करने के लिये कदम उठा रहा है ।

**Tungabhadra Project**

**81. Shri P. Venkatasubbaiah:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether it is a fact that a diving team of the Indian Navy is going to assist the Tungabhadra Project in carrying out under-water works; and

(b) if so, the nature of work this diving team is going to do?

**The Minister of Irrigation and Power (Dr. K. L. Rao)**: (a) Yes.

(b) Underwater cutting and welding for rectification of the alignment of the guide rails of the gate for the third penstock pipe so that the gate can be taken out or put in position easily.

**Directorate General of Relief**

**83. Shri P. C. Borooah:**
**Shri Rameshwar Tantia:**
**Shri Dhaon:**
**Shri Bishanchander Seth:**

Will the Minister of **Rehabilitation** be pleased to state:

(a) whether a Directorate General of Relief is proposed to be set up under his Ministry; and

(b) if so, the constitution and precise functions thereof?

**The Minister of Rehabilitation (Shri Tyagi)**: (a) Yes, Sir.

(b) The Organisation will be headed by the Director General of Relief. The detailed set-up of the Directorate-General is being worked out and will be finalised shortly.

The Directorate-General will be the principal executive agency of the Ministry for attending to the problems of relief to the migrants from East Pakistan. It will supervise and coordinate the various activities of the Central Government Agencies and the State Governments, such as, the movement of migrants, the setting up of new camps, the provision of various amenities in the camps and the gainful employment of the inmates. It may be assigned such other functions and duties as may be considered necessary from time to time.

**Refugees from Rajsahi**

**84. Shri Tridib Kumar Chaudhuri:** Will the Minister of **Rehabilitation** be pleased to state:

(a) whether Government have received reports either from the Government of West Bengal or from any other source about the arrival of large number of refugees from Rajsahi and adjoining districts of East Pakistan into the district of Murshidabad in West Bengal since January, 1964; and

(b) whether there is any regular reception centre on any border point

in the districts of Murshidabad, Maldah, West Dinajpur, Jalpaiguri and Cooch Bihar to provide immediate succour and relief to the harried refugees who are coming over?

**The Minister of Rehabilitation (Shri Tyagi):** (a) According to the Government of West Bengal about 5,200 persons have migrated from East Pakistan into Murshidabad district, West Bengal since January, 1964.

(b) No regular reception centres have been set up in these districts. But arrangements exist to help the needy migrants, who come through check-posts and to provide relief and transport facilities, in accordance with the Government policy, to those migrants who are willing to be resettled outside the West Bengal State. Gratuitous relief is also extended by the State Government to indigent cases among those who are staying back.

**Study Team on Housing**

**85. Shri Ram Harkh Yadav:** Will the Minister of **Works and Housing** be pleased to state:

(a) whether Government have appointed a team of senior officers to study the progress of housing schemes in the States;

(b) if so, the composition of the team and the details of the work entrusted to them;

(c) whether the said team has examined the housing plan in U.P.; and

(d) if so, the result thereof?

**The Minister of Works and Housing (Shri Mehr Chand Khanna):** (a) and (b). Senior officers of the Ministry of Works and Housing, viz. the Joint Secretary, the Housing Commissioner and the Housing Adviser, have been asked to visit the States to study the progress of Housing Schemes.

(c) Yes.

(d) The progress so far made during the Third Plan period in U.P. is not satisfactory. Out of the total allocation of Rs. 1.145 lakhs for Housing Schemes, the State Government have spent only Rs. 263.36 lakhs during the first three years. The urgency of stepping up the pace of Housing Schemes has been impressed upon the State Government, who have agreed to increase the provision for housing during the remaining two years of the Third Plan period and also to gear up the machinery for their implementation.

**Central Excise Collectorate for Orissa**

**86. Shri P. K. Deo:** Will the Minister of **Finance** be pleased to state:

(a) whether there is a proposal to have a separate Central Excise Collectorate for Orissa;

(b) if so, when it is likely to be established; and

(c) what are the considerations for opening a new Collectorate?

**The Minister of Finance (Shri T. T. Krishnamachari):** (a) No, Sir.

(b) Does not arise.

(c) The main considerations are the quantum of Revenue, nature of excisable goods produced, area to be covered, volume of work connected with Land, Air or Sea Customs.

**Birth Control by Vaccination**

**87. Shri P. K. Deo:** Will the Minister of **Health** be pleased to state:

(a) whether Dr. Gerald Swyer, an endocrinologist of London while speaking to the West Midlands branch of British association has recently suggested the feasibility of birth control by vaccination;

(b) if so, the details of the vaccination; and

(c) whether similar experiments have been made in India and if so, the result thereof?

**The Minister of Health (Dr. Sushila Nayar):** (a) to (c). The information is not available. It is being obtained through our High Commission in London and will be laid on the Table of the Sabha in due course.

**Kothagudam Thermal Plant**

89. **Shri Eswara Reddy:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) the amount spent upto the end of April, 1964 for the setting up of Kothagudam Thermal Plant;

(b) when the work of digging foundation for the installation of boilers will be taken up; and

(c) to what extent turbines and boilers required for the plant will be drawn from indigenous sources?

**The Minister of Irrigation and Power (Dr. K. L. Rao):** (a) Expenditure upto the end of March, 1964 is estimated to be Rs. 245.64 lakhs including Rs. 100 lakhs incurred on Kinnersani Dam works. Figures for April, 1964 are not yet available.

(b) Work on the foundation for the installation of boilers has already started.

(c) Orders for the complete plant and equipment have been placed in Japan.

**हैवी इलैक्ट्रिकल्स लिमिटेड, भोपाल**

९०. **श्री सिद्धेश्वर प्रसाद** : क्या **इस्पात, खान और भारी इंजीनियरिंग** मंत्री सम्पर्क अधिकारी द्वारा आत्महत्या के बारे में २ मार्च, १९६३ के अतारांकित प्रश्न संख्या २७० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) हैवी इलैक्ट्रिकल्स लिमिटेड, भोपाल के अधिकारियों ने अब तक विभागीय जांच समिति रिपोर्ट के आधार पर क्या कार्रवाई की है ; और

(ख) माल विभाग के काम करने के नियम और ढंग में अब तक क्या सुधार किये गये हैं ?

**इस्पात, खान और भारी इंजीनियरिंग मंत्रालय में उपमंत्री (श्री प्र० चं० सेठी) :** (क) और (ख). इस सम्बन्ध में निर्दिष्ट अतारांकित प्रश्न के उत्तर में दिए गए आश्वासन की पूर्ति में ४ मई, १९६४ को सभापटल पर रखे गये विवरण की ओर ध्यान आकर्षित किया जाता है ।

**M.M.T.C.'s Delegation to Europe**

91. **Shri Ram Harkh Yadav:** Will the Minister of **International Trade** be pleased to state:

(a) whether the Minerals and Metals Trading Corporation intend to send a delegation to Europe to facilitate exports;

(b) if so, the composition of the delegation; and

(c) its mission and the countries to be approached?

**The Minister of International Trade (Shri Manubhai Shah):** (a) and (b). A delegation of the Minerals and Metals Trading Corporation, comprising the Chairman and two Joint Divisional Managers of the Corporation, has already left for Europe.

(c) The delegation will explore the possibilities of export of iron ore and Manganese Ore to West Europe and will visit Italy, France, Netherland, Belgium, West Germany, Luxemburg and the U.K.

**Small Car Project**

92. **Shrimati Savitri Nigam:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state the progress made regarding the production of small economic car in the country?

**The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi):** No decision has yet been taken regarding the

production of a small car in the country.

**Pig Iron Plant and Steel Mill at Kuwait**

93. { **Shri Vishwanath Pandey:** / **Shrimati Savitri Nigam:**

Will the Minister of **International Trade** be pleased to state:

(a) whether it is a fact that an Indian technical team went to Kuwait to explore the possibilities of establishing a pig iron plant and a steel mill there with Indian collaboration; and

(b) if so, whether the team has submitted any report and the reaction of Government thereon?

**The Minister of International Trade (Shri Manubhai Shah):** (a) Yes, Sir.

(b) The team has not yet submitted its report.

**Incentive Bonus to H.E.L. Workers**

94. { **Shrimati Savitri Nigam:** / **Shri M. L. Dwivedi:** / **Shri Vishwanath Pandey:**

Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to refer to the reply given to Unstarred Question No. 215 on the 14th February, 1964 and state whether Government have since decided to give incentive bonus to the workers of the H.E.L., Bhopal?

**The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi):** The details of the incentive bonus scheme are still under discussion between Heavy Electricals (India) Ltd., Bhopal and the Representative Union.

**हिन्दुस्तान मोटर्स**

९५. **श्री मोहन स्वरूप** : क्या इस्पात, खान और भारी इंजीनियरिंग मंत्री यह बताने की कृपा करेंगे कि :

(क) "फिएट" व "एम्बेसेडर" कारों की उपलब्धि प्रति मास के हिसाब से १९६२-६३ व १९६३-६४ में क्या रही ;

(ख) क्या यह सच है कि ये कारें रिजवशन करते समय निर्धारित की गई अवधि के अन्दर उपभोक्ताओं को दी जानी थीं ; और

(ग) कितनी कारें इच्छुक खरीदारों को नियत समय पर उपलब्ध की जा सकीं ?

**इस्पात, खान और भारी इंजीनियरिंग मंत्रालय में उपमंत्री (श्री प्र० चं० सेठी)** : (क) १९६२-६३ और १९६३-६४ के उत्पादन पर आधारित "एम्बेसेडर" और "फिएट" कारों की उपलब्धि इस प्रकार थी :—

| मास | उपलब्धि 'फिएट' | 'एम्बेसेडर' |
|---|---|---|
| १ | २ | ३ |
| अप्रैल, १९६२ | ५९० | ६३२ |
| मई, १९६२ | ६०४ | ११५० |
| जून, १९६२ | ५५८ | १२५० |
| जुलाई, १९६२ | ५९३ | १००० |
| अगस्त, १९६२ | ५५३ | ११०० |
| सितम्बर, १९६२ | ४७० | ११०० |
| अक्टूबर, १९६२ | ४०८ | १००० |
| नवम्बर, १९६२ | २९७ | १२५० |
| दिसम्बर, १९६२ | ३५६ | ९५१ |
| जनवरी, १९६३ | ३१४ | ९३७ |
| फरवरी, १९६३ | ३३९ | ८६४ |
| मार्च, १९६३ | २९४ | ७६६ |
| अप्रैल, १९६३ | १७१ | ६२५ |
| मई, १९६३ | २३८ | ७०५ |
| जून, १९६३ | ३४४ | ६४४ |
| जुलाई, १९६३ | ३४२ | — |
| अगस्त, १९६३ | ३३९ | — |

| १ | २ | ३ |
|---|---|---|
| सितम्बर, १९६३ | ३२५ | ३० |
| अक्टूबर, १९६३ | ३३७ | ९०० |
| नवम्बर, १९६३ | ३५२ | १४०० |
| दिसम्बर, १९६३ | ३५५ | १७५० |
| जनवरी, १९६४ | ३४१ | १६२४ |
| फरवरी, १९६४ | ३३४ | १००० |
| मार्च, १९६४ | ३४१ | २०२१ |

(ख) मांग और संभरण में असंतुलन के कारण रिजर्वेशन करते समय उपभोक्ताओं को कारें देने की कोई अवधि निर्धारित नहीं की जाती।

(ग) प्रश्न नहीं उठता।

**Alloy Steel Plant at Kanpur**

**96. Shri S. M. Banerjee:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether it is a fact that a licence has been granted to one of the private firms in Kanpur to set up a special alloy steel plant;

(b) if so, whether any financial or technical help has been given by the Central Government to this firm; and

(c) whether this is being made with foreign collaboration?

**The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam):** (a) Yes, Sir.

(b) and (c). They have entered into a technical collaboration with a French firm and their Capital Goods requirements are covered under the French Credit. No financial or technical help has been given by the Central Government.

**रूस को ब्लेडों का निर्यात**

९७. **श्री ओंकार लाल बेरवा :**
**श्री गोकरन प्रसाद :**

क्या **अन्तर्राष्ट्रीय व्यापार** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मलहोत्रा एक्सपोर्ट हाउस (प्राइवेट) लिमिटेड, कलकत्ता और मास्को के प्रतिनिधि के बीच ब्लेड भेजने के बारे में कोई करार हुआ है ; और

(ख) यदि हां, तो भारत सरकार ने सन् १९६३ में रूस को कितने रुपये के ब्लेड भेजे ?

**अन्तर्राष्ट्रीय व्यापार मंत्री (श्री मनुभाई शाह)** : (क) जी हां।

(ख) सोवियत रूस को १९६३ के दौरान २०.८० लाख रु० के मूल्य के ब्लेड भेजे गये थे।

**नई दिल्ली में चौथा भारी बिजली के सामान का कारखाना**

९८. **श्री ओंकार लाल बेरवा :**
**श्री गोकरन प्रसाद :**
**श्री रामेश्वर टांटिया :**
**श्री पवन :**
**श्री सुबोध हंसदा :**
**श्री स० चं० सामन्त**

क्या **इस्पात, खान और भारी इंजीनियरिंग** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारी बिजली के सामान का चौथा कारखाना नई दिल्ली में खोलने के लिये भारत सरकार अमरीका की सरकार से बातचीत कर रही है ; और

(ख) यदि हां, तो अब तक की बातचीत का क्या परिणाम रहा ?

**इस्पात, खान और भारी इंजीनियरिंग मंत्री (श्री चि० सुब्रह्मण्यम्)** : (क) और (ख) जी, नहीं। फिर भी "थरमल जेनरेटिंग" उपकरणों का निर्माण करने के लिये एक कारखाने की स्थापना की सम्भावना पर विचार करने के उद्देश्य से भारत सरकार ने अमरीका की एक फर्म से एक प्राथमिक रिपोर्ट मांगी है।

**बिहार में कोयले की खानें**

९९. श्री ओंकार लाल बेरवा :
श्री गोकरन प्रसाद :
श्री प्र० चं० बरुआ :
श्री मुहम्मद इलियास :
श्री पें० वेंकटसुब्बया :
श्री बृजराज सिंह :

क्या **इस्पात, खान और भारी इंजीनियरिंग** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बिहार में इस समय बहुत सी कोयला खानें चल रही हैं ;

(ख) यदि हां, तो सरकारी क्षेत्र में कितनी कोयला खानें चल रही हैं ;

(ग) क्या कोई नया सर्वेक्षण किया गया है ; और

(घ) यदि हां, तो उस का क्या परिणाम रहा ?

**इस्पात, खान और भारी इंजीनियरिंग मंत्रालय में उपमंत्री (श्री प्र० चं० सेठी) :** (क) हां ।

(ख) बिहार में सरकारी क्षेत्र की समस्त कोयला खानें राष्ट्रीय कोयला विकास निगम द्वारा चालित होती हैं । इस निगम के पास १४ चालू खानें हैं, तीन और खानें इस समय विकासाधीन हैं और इसके अतिरिक्त दो और खानें आयोजना अवस्था में हैं ।

(ग) और (घ). सरकारी क्षेत्र में अधिक खानें खोलने की दृष्टि से राष्ट्रीय कोयला विकास निगम मध्य झरिया, पश्चिमी बोकारो और पूर्वी बोकारो के क्षेत्रों में विस्तृत अन्वेषण कर रही है ।

**Committee regarding use of Khadi by Government Departments**

**100. Shri Yashpal Singh:** Will the Minister of **Industry** be pleased to state:

(a) whether the Khadi and Village Industries Commission have approached Government to constitute a high-power committee to consider the general policy to be adopted towards the use of Khadi by Government Departments and other matters relating to the supply of Khadi and products of village industries by the Commission against Government orders;

(b) if so, the reaction of Government thereto; and

(c) when the proposed Committee is likely to be appointed and what will be its terms of reference?

**The Minister of Industry (Shri Kanungo):** (a) to (c). No such recommendation has so far been received from the Khadi and Village Industries Commission.

**Coal Seams on the Banks of Damodar**

**101. Shri Yashpal Singh:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether it is a fact that new coal seams have been struck in the Bhuchidik and Dhauwaiya areas on the banks of Damodar;

(b) if so, how much coal is expected to be raised in this area; and

(c) whether the coal is of superior quality and it will be economical to extract it?

**The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi):** (a) A resurvey in 1959 and subsequent exploratory drilling by the Geological Survey of India led to the discovery of medium coking coal in the Buchingdih area in the Ramgarh coalfield. Almost all the seams extend towards northwest across the Damo-

dar river and get into the Dhawaiya area.

(b) About 3·5 million tonnes of coal is to be raised during the Fourth Five Year Plan period by the National Coal Development Corporation.

(c) A considerable portion of this coal is suitable for metallurgical purposes after washing and blending.

**Units of Hindustan Machine Tools**

**102. Shri N. R. Laskar:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether it is a fact that the Hindustan Machine Tools will put up five units in the country;

(b) if so, the progress made up till now in setting up these units; and

(c) whether any of the units will be set up in the Eastern region of the country?

**The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi):** (a) to (c). There is no concrete proposal at present for setting up five new units in the country but on the present working results shown by the Hindustan Machine Tools Limited it seems possible for them to set up one new machine tool unit every year during the Fourth Five Year Plan period. It is premature to consider the question of location at this stage.

**Mechanical Instruments Plant at Palghat**

**103. { Dr. P. N. Khan:**
**Shri Subodh Hansda.**

Will the Minister of **Industry** be pleased to state:

(a) whether the preparation of detailed project report of the Mechanical Instruments Plant at Palghat (Kerala) has been started by the Soviet Designing Institute;

(b) whether any time has been fixed for submission of the report; and

(c) if so, what?

**The Minister of Industry (Shri Kanungo):** (a) to (c). The PROMMASHEXPORT have taken in hand the preparation of the detailed project report. Government expect to receive the report early in 1965.

**Foreign Exchange from Indian Films Abroad**

**104. Shri D. C. Sharma:** Will the Minister of **International Trade** be pleased to state:

(a) whether investigations made by his Ministry have revealed large-scale 'leakage' of foreign exchange from the earnings of Indian films exhibited abroad; and

(b) if so, the action taken or proposed to be taken in the matter?

**The Minister of International Trade (Shri Manubhai Shah):** (a) No, Sir.

(b) Does not arise.

**Hindustan Salt Co. Ltd., Jaipur**

**105. Shri Rama Chandra Mallick:** Will the Minister of **Industry** be pleased to state whether any grant or loan was given to the Hindustan Salt Company Ltd., Jaipur for the development of salt industries during 1963-64 and 1964-65?

**The Minister of Industry (Shri Kanungo):** No, Sir.

**Tyre Factories**

**106. Shri Maniyangadan:** Will the Minister of **Industry** be pleased to state:

(a) whether the Tariff Commission have recommended that new tyre factories should be helped to stand competition from old factories; and

(b) if so, the extent of help given by Government to the new tyre factories?

**The Minister of Industry (Shri Kanungo):** (a) In their report on the Fair Prices of Rubber Tyres and Tubes 1955, the Tariff Commission recommended that special assistance should be offered to Indian enterprises wishing to manufacture rubber tyres and tubes. The Tariff Commission has not made any recommendations about tyres and tubes industry, thereafter.

(b) As a result of consideration of representations made by some tyre companies, the tyre companies who commenced or commence manufacture of tyres for motor vehicles for the first time on or after 1st April, 1962 have been exempted from so much of the excise duty as is in excess of 35 per cent ad valorem, not exceeding one crore of rupees in valu in a year.

**Export of Tobacco**

107. { **Shri M. Malaichami:** / **Shri P. Venkatasubbaiah:**

Will the Minister of **International Trade** be pleased to state:

(a) whether there is any proposal to initiate a comprehensive scheme for the export of tobacco; and

(b) if so, the countries to which tobacco will be exported and the agency contemplated to take up the export?

**The Minister of International Trade (Shri Manubhai Shah):** (a) and (b). With the steps already being taken under our export promotion drive, tobacco exports from India hav been showing an upward trend, as is evident from the following export figures:—

| Year | Value (in lakhs of Rs.) |
|---|---|
| 1961-62 | 14.03 |
| 1962-63 | 17.09 |
| 1963-64 | 21.01 |

The principal markets for tobacco are the United Kingdom, U.S.S.R., Aden, Singapore, Belgium and Netherlands.

It is the constant endeavour of the Government to explore all possible ways of further increasing the export of this commodity.

**Single Spindle Automatic Lathes**

**108. Shri D. J. Naik:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether the Hindustan Machine Tool factory has entered into an agreement with Messrs. Manurhin of France for the manufacture of single spindle automatic lathes; and

(b) if so, the particulars thereof?

**The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi):** (a) and (b). Messrs. Hindustan Machine Tools Limited has entered into a technical collaboration agreement with Messrs. Manurhin of France for the manufacture of single spindle automatic lathes for bar capacity 16 mm. to 65 mm. in 7 different models. A lumpsum licence fee of Rs. 8 lakhs is payable to the French firm over the years 1964 to 1966. The agreement provides for the deputation of 2 French technicians for a period of 9 months each to Hindustan Machine Tools Ltd. to help the company in the implementation of the manufacture of these lathes. In accordance with the term of the agreement, 4 HMT technicians will be trained at the works of the French firm during the years 1964 to 1966 for periods ranging from 9 to 12 months. The company has planned to begin the assembly of these machines during 1965-66 and will reach full rated production of about 200 machines per year in 1969-70.

**Sulphur Deposits in Madras State**

109. { **Shri Dharmalingam:** / **Shri Muthu Gounder:**

Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether any survey has been

made in the Jawad Hills, Polur Taluk, North Arcot District Madras State to find out the availability of sulphur deposits; and

(b) if so, the result thereof?

**The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi):** (a) Yes, Sir.

(b) As a result of the investigations carried out by the Geological Survey of India between 1951—57, the reserves of pyrrhotite (an ore of sulphur) at Thaniar in the Jawad Hills which are not of much economic importance have been estimated at 24,400 tonnes with an average sulphur content of 25 per cent.

**Salem Steel Project**

110. **Shri Muthiah:**
**Shri Dharmalingam:**
**Shri Rameshwar Tantia:**
**Shri Inder J. Malhotra:**

Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether M|s. Dastoor and Company Technical Consultants have submitted their report regarding the Salem Steel Project;

(b) if so, the findings thereof; and

(c) if not, when the report will be submitted?

**The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam):** (a) No, Sir.

(b) Does not arise.

(c) The detailed proje·t report is expected to be received shortly.

**Industrial Estate, Berhampur (Orissa)**

111. **Shri Mohan Nayak:** Will the Minister of **Industry** be pleased to state:

(a) the uptodate progress made in the construction work of the Industrial Estate at Berhampur (Orissa State); and

(b) how many industries have been started uptil now and the progress thereof?

**The Minister of Industry (Shri Kanungo):** (a) and (b) The information is being collected from the Orissa Government and it will be laid on the Table of the House.

**Complaints re: Imported Indian Goods**

112. **Maharajkumar Vijaya Ananda:** Will the Minister of **International Trade** be pleased to state how many complaints were received during the last three years about the quality of the goods imported from India, the countries from which they were received and about which goods?

**The Minister of International Trade (Shri Manubhai Shah):** (i) The number of complaints received during the last three calendar years about the quality of goods imported from India is given below:

| | |
|---|---|
| 1961 | 64 |
| 1962 | 107 |
| 1963 | 83 |

(ii) Commodity|countrywise number of complaints during the calendar years 1961, 1962 and 1963 is given in Annexures 'A', 'B' and 'C', respectively, is laid on the Table [Placed in Library. *See* No. LT-2904/64].

**Palana Lignite Corporation**

113. **Shri P. R. Chakraverti:**
**Shrimati Savitri Nigam·**
**Shri Yamuna Prasad Mandal:**
**Shri N. P. Yadab:**
**Shrimati Akkamma Devi:**
**Shri P. L. Barupal:**

Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether a final decision has been taken for setting up Palana Lignite Corporation in Rajasthan;

(b) if so, whether Russian Technicians, who will be associated with the project, have reached India;

(c) whether the project will be an integrated multi-purpose unit; and

(d) if so, what will be the nature of operations to be undertaken by the project and the extent of Soviet aid made available in terms of agreement?

**The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi):** (a) Yes, Sir. We have been informed by the Government of Rajasthan that they have decided to set up Palana Lignite Corporation.

(b) The matter regarding association of foreign technicians and the country from which they should be drawn is under consideration of the Government of Rajasthan.

(c) The present thinking is to make it an integrated project.

(d) The mining will be both underground and open cast. The question of Soviet aid does not arise at present.

**Scooter Manufacturing Unit in West Bengal**

114. **Shri P. R. Chakraverti:**
**Shri N. P. Yadab:**
**Shri Yamuna Prasad Mandal:**
**Shrimati Akkamma Devi:**
**Shrimati Savitri Nigam:**

Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether Government of West Bengal have made special request for considering favourably the proposal of setting up of a new scooter manufacturing unit at a suitable place in the State;

(b) whether it is a fact that the demand of scooters is already out of all proportion to the supply in West Bengal and that one has to wait for at least 3 years in Calcutta to buy a Vespa; and

(c) whether it is also a fact that a legislative measure for gradual abolition of slow-moving traffic has been kept in abeyance for want of scooters and auto-vehicles?

**The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi):** (a) The Government of West Bengal had recommended the grant of a licence to a particular party for the manufacture of scooters, auto-cycles and mopeds. This recommendation was not however, accepted as sufficient capacity has already been licensed for the manufacture of these types of vehicles to meet the anticipated requirements by the end of the Third Plan period.

(b) The demand for scooters in the country is in excess of the actual production at present and customers in every part of the country have to wait for long periods for buying a scooter. The low production is due to foreign exchange difficulties. When the licensed manufacturers reach capacity production they will be able to meet the entire demand in the country.

(c) The Government of India do not have under consideration any legislative measure for the gradual abolition of slow-moving traffic.

**बिहार में पटसन मिल**

११५. **श्री विभूति मिश्र** : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर बिहार के चम्पारन, मुजफ्फरपुर, दरभंगा, सहरसा

और पूर्णिया के जिलों में काफी पटसन होता है; और

(ख) यदि हां, तो क्या सरकार वहां कोई पटसन मिल खोलने का विचार कर रही है ?

**उद्योग मंत्री (श्री कानूनगो)** : (क) बिहार में चम्पारन, मुजफ्फरपुर, दरभंगा, सहरसा और पूर्णिया के जिलों में लगभग १० लाख गांठें पटसन पैदा होता है ।

(ख) उस क्षेत्र में पटसन की कोई मिल खोलने का फिलहाल प्रस्ताव नहीं है ।

**Cement Factory, Kangra**

**116. Shri Daljit Singh:** Will the Minister of **Industry** be pleased to refer to the reply given to Unstarred Question No. 807 on the 23rd August, 1963 and state the progress so far made in setting up the cement factory in Kangra district of Punjab?

**The Minister of Industry (Shri Kanungo):** A site for the location of the factory has been selected and a raw material survey is in progress. No orders for plant and machinery have yet been placed:

**Coal Fuel in Sugar Mills**

**117. Shri Rameshwar Tantia:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether it is a fact that Working Group of the Planning Commission has advised use of coal fuel instead of begasse in Sugar Mills; and

(b) if so, the steps being taken to encourage the switch-over?

**The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi):** (a) Yes, Sir. The use of coal instead of bagasse, as fuel in sugar mills, has been advised by the Committee on Natural Resources of the Planning Commission.

(b) As an immediate step, additional coal supplies have been offered to sugar mills to enable them to release bagasse for paper mills. Other measure to encourage diversion of bagasse to paper mills are under consideration.

**Coal Petrography and Coal Constitution**

**118. { Shri Rameshwar Tantia: / Shri Inder J. Malhotra:**

Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) the result of the studies on Coal Petrography and Coal Constitution made by the Central Fuel Research Institute; and

(b) the extent to which non-coking coal will substitute the use of coking coal for steel making?

**The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi):** (a) These studies have led to the following results:—

(i) adoption of selective preparation of coals for coke making in one merchant cokery.

(ii) the same process has been recommended to two steel plants in the public sector.

(iii) evolving of suitable methods for the correct blending of coals for carbonisation.

(iv) development of new types of coal fertilizers.

(b) It is possible to use between 15 to 20 per cent of good quality non-

coking coals in blends with 80 to 85 per cent good quality coking coals for production of metallurgical coke for steel making.

**Coal Production**

119. **Shri Rameshwar Tantia:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) the number of collieries producing less than 5,000 tonnes of coal per annum;

(b) the number of collieries producing 5,000 to 7,000 tonnes of coal per annum; and

(c) the total number of workers employed in both the categories?

**The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi):** (a) 189 collieries.

(b) 36 collieries.

(c) 13,393 workers.

**Decontrol of Iron**

120. **Shrimati Renu Chakravartty:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether after decontrol formerly restricted items like wires, including G.I. Wires are in acute shortage for even such departments as Defence department;

(b) whether it is a fact there is no control now over production of re-rolling mills and wire drawings units including Messrs. Indian Steel and Wire Products, Jamshedpur;

(c) why this company has been permitted to increase price of wire by Rs. 100; and

(d) whether many re-rolling mills and wire drawings units are cancelling all orders planned for them earlier by Iron and Steel Controller?

**The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi):** (a) There is no acute shortage of wires, but there are outstanding orders.

(b) Yes.

(c) Wire, being a decontrolled item, there is no statutory control over its price and no permission is required.

(d) Yes.

**Cement Corporation**

121. **Shri P. C. Borooah:**
**Dr. L. M. Singhvi:**
**Shri Dharmalingam:**
**Shri Indrajit Gupta:**
**Shri Hem Raj:**

Will the Minister of **Industry** be pleased to refer to the reply given to Unstarred Question No. 1364 on the 20th March, 1964 and state:

(a) whether a decision to establish a cement Corporation of India to expand the production of cement in the country has been taken; and

(b) if so, the broad features thereof?

**The Minister of Industry (Shri Kanungo):** (a) Yes, Sir.

(b) It is proposed to entrust the Cement Corporation with the following principal objectives:

(i) Survey, prospecting and proving of cement-grade limestone deposits in the country.

(ii) Installation of sufficient capacity for the manufacture of cement in the public sector to help achieve the cement production targets likely to be set for the Fourth Plan.

(iii) All ancillary and supporting activity connected with the growth of the cement industry and the development of expertise.

**Watches for Armed Forces**

**122. Shri P. C. Borooah:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether the Hindustan Machine Tools, Limited have undertaken to supply over 26,000 watches named 'Jawan' for use of the Armed Forces;

(b) if so, the salient features of these watches; and

(c) by what time the supply would be completed?

**The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi):** (a) and (c). Yes, Sir; the order was for the supply of 26,150 watches and was executed in full by 30th April, 1964.

(b) "HMT JAWAN" has the following features: all stainless steel screw back case; 11½ lignes fully jewelled lever movement (case diameter 35 mm.); 17 jewels; shock proof; water protected; sweep centre second hand; black dial with luminous Arabic numerals; luminous hour and minute hands.

**Steel Plant in Orissa**

**123. Shri S. N. Chaturvedi:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether there is any proposal to set up a fifth steel plant at Binaugarh in Orissa to provide employment to refugees from East Pakistan; and

(b) if so, what will be its estimated cost and its employment potential?

**The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam):** (a) and (b). There is no concrete proposal yet for putting up a Steel Plant at Bonaigarh (not Binaugarh), but various suggestions have been received that another Steel Plant be put up at a suitable location in Orissa and amongst the locations suggested Bonaigarh is one. Apparently one of the reasons for the suggestion is that it might provide some employment potential for refugees. All such suggestions for the establishment of Steel Plants, not only at sites in Orissa but in other States, are being and will continue to be examined by Government, but decision on a Steel Plant location takes time. Since numerous complicated considerations have to be taken into account and it is too early to talk in terms of estimates of cost or of employment potential.

**Voluntary Textile Price Control Scheme**

**124. Shri Harish Chandra Mathur:**
**Shri P. C. Borooah:**
**Shri Mohammad Elias:**

Will the Minister of **Industry** be pleased to state:

(a) whether the Indian Cotton Mills Federation represented that the voluntary textile price control scheme should be scrapped;

(b) if so, the reasons for demanding the scrapping of the scheme; and

(c) Government's reaction thereto?

**The Minister of Industry (Shri Kanungo):** (a) to (c). The Indian Cotton Mills Federation have represented that it is no longer possible for them to carry on their responsibility with regard to the existing scheme of voluntary control of cotton textile prices. They have stated that in the absence of periodic revision of the prices to cover increases which have taken place in the costs of cotton, labour, power, stores, etc., the existing scheme has become unworkable. The points raised by the Federation are being examined.

**Newsprint Price**

**125. Dr. L. M. Singhvi:** Will the Minister of **Industry** be pleased to state:

(a) the selling price of the indigenous newsprint and how it compares with the price of imported newsprint to the purchasers; and

(b) the efforts, if any ,being made to reduce the price of the indigenous newsprint?

**The Minister of Industry (Shri Kanungo):** (a) Price of indigenous Newsprint-Rs. 1,050 per tonne.

Price of imported Newsprint (C.I.F.) -Varies from Rs. 775 to Rs. 825 per tonne.

(b) The price of indigenous newsprint was fixed at Rs. 1,050 per tonne in 1958. In spite of an all round rise in the cost of production such as raw materials, chemicals, transport, power, labour, coal etc. during the last six years, the price of indigenous newsprint has been retained at Rs. 1,050 without allowing any increase.

**Central Cottage Industries Emporium**

126. **Shri Hukam Chand Kachhavaiya:**
**Shri Y. D. Singh:**

Will the Minister of **Industry** be pleased to state:

(a) whether it is a fact that Government have decided to hand over the management of the Central Cottage Industries Emporium from the Indian Co-operative Union to a new Society; and

(b) if so, whether the Emporium employees will have continuity and security of service and pay-scales according to the recent recommendations of the IBCON?

**The Minister of Industry (Shri Kanungo):** (a) Yes, Sir, by a Society to be registered under the Societies Registration Act.

(b) It is Government's intention that the new Society, on its formation, would take over the staff at present working in the Emporium and would protect their interests adequately.

**Low Temperature Carbonisation Plant**

127. **Shri Eswara Reddy:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether Fuel Research Institute has submitted the project report regarding the setting up of Low Temperature Carbonisation Plant in public sector; and

(b) if not, when it is expected?

**The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi):** (a) No, Sir.

(b) It is expected in about six months' time from now.

**Manganese and Iron Ore Mines**

128. Shri **Sivamurthi Swamy:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether any department for giving technical advice and service to the mine owners has been set up in the Ministry;

(b) if so, whether any advice or service has been rendered to the iron and manganese mine owners to introduce machanised extraction of mines to improve the output and lower the cost of mines in the country; and

(c) if not, what other alternative methods are being employed to improve the mining business in the country?

**The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi):** (a) The Indian Bureau of Mines gives advice and renders service to the Mine owners.

(b) and (c). No general advice specifically to iron and manganese ore mine-owners to introduce mechanised extraction has been given, but advice on mechanisation has been given whenever such problems have arisen for any type of mine including iron and manganese ore mines. Officers of the Indian Bureau of Mines advise the mine-owners on different aspects

of mines such as improved mine planning, method of mining, dressing, grading of ore, handling of ore and waste, economic and efficient use of equipment, explosives etc.

### Minimum Wages

**129. Shri Indrajit Gupta:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether State Governments have been asked to raise the minimum rates of wages to at least Re. 1 per day;

(b) whether this figure has any relation to minimum needs or requirements of a worker; and

(c) the basis for recommending a minimum of Re. 1?

**The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya):** (a) to (c). The State Governments have been requested to revise upward the minimum rates of wages for those scheduled employments under the Minimum Wages Act where they were initially fixed at less than Re. 1 per day, so that in no case minimum wage rate under the Act for any scheduled employment is less than Re. 1 per day.

Under the present conditions, a wage rate lower than Re. 1 per day cannot but be considered very low. While requesting the State Governments to bring it at least to Re. 1 per day, the intention was not to peg it down to a minimum of Re. 1 per day, but to revise it upward, wherever it is less than Re. 1.

### Naval Base in Laccadives

**130. Shri A. V. Raghavan:** Will the Minister of **Defence** be pleased to state:

(a) whether there is any proposal to establish a naval base in the Union Territory of Laccadives; and

(b) if so, when and where the same will be established?

**The Minister of Defence (Shri Y. B. Chavan):** (a) There is no such proposal at present.

(b) Does not arise.

### Hospital in Sikkim

**131. Shri Ram Harkh Yadav:** Will the Minister of **Defence** be pleased to state:

(a) whether Government propose to build a hospital in Sikkim for the use of Indian Army;

(b) if so, the details of the proposal; and

(c) the estimated expenditure and capacity of the hospital?

**The Minister of Defence (Shri Y. B. Chavan):** (a) Yes, Sir.

(b) and (c). It is proposed to construct a 35 bedded Hospital at Gangtok, Sikkim. The accommodation will include Isolation and Infectious Wards. Other facilities proposed to be provided are Operation Theatre, an X-Ray Room, Out Patient Department and a Dental Centre. Accommodation for the staff is also proposed to be provided. The plans are being prepared. Estimated expenditure will be known only after the plans have been finalised.

### N.C.C.

**132. Shri Ram Harkh Yadav:** Will the Minister of **Defence** be pleased to state the total strength of N.C.C. in the country at the end of the academic year 1963-64 and the number of boys and girls in the force separately?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):** The information is given below:

| | Boys | Girls |
|---|---|---|
| Senior Division | 1,33,082 | 10,215 |
| NCC Rifles | 6,63,398 | 30,533 |
| Junior Division | 1,90,235 | 26,063 |
| TOTAL : | 9,86,715 | 66,811 |

**Dy. High Commission for Pakistan in Calcutta**

133. **Shri Vishwa Nath Pandey:**
**Shrimati Savitri Nigam:**

Will the **Prime Minister** be pleased to state whether it is a fact that Government of Pakistan has asked India to pay compensation for the property of some members of its Dy. High Commission in Calcutta which was allegedly looted during the communal disturbances there in January, 1964?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** Yes, Sir. The Government of Pakistan have claimed compensation for the alleged loss of personal property by 8 members of their Mission in Calcutta.

**Submarines for Indian Navy**

134. **Shri N. R. Laskar:**
**Shri A. V. Raghavan:**

Will the Minister of **Defence** be pleased to state:

(a) whether any final decision has been taken to acquire submarines for our Navy; and

(b) if not, the main reasons and difficulties which Government are experiencing in coming to a decision?

**The Minister of Defence (Shri Y. B. Chavan):** (a) and (b). No, Sir. A final decision will depend upon the availability of suitable submarines as well as our capacity to find the necessary foreign exchange.

**ब्रिटिश पासपोर्ट प्राप्त चीनी राष्ट्रजन**

१३५. **श्री स० चं० सामन्त :**
**श्री म० ला० द्विवेदी :**
**श्रीमती सावित्री निगम :**
**श्री दाजी :**

क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि :

(क) ऐसे चीनी प्रव्रजकों से, जिनके पास ब्रिटिश पारपत्र होते हैं, भारत आने के लिए भारत सरकार के वीसा मांगने की नीति पर ब्रिटेन की सरकार ने क्या लिखा पढ़ी की है; और

(ख) इसके सम्बन्ध में भारत सरकार की क्या प्रतिक्रिया है ?

**प्रधान मंत्री, वैदेशिक-कार्य मंत्री, गृह-कार्य मंत्री तथा अणु शक्ति मंत्री (श्री नंदा):** (क) और (ख). भारत पासपोर्ट अधिनियम के अन्तर्गत भारत सरकार ने अक्टूबर-नवम्बर, १९६२ के चीनी हमले के बाद से यह शर्त लगाई है कि भारत में आने वाले चीन-मूलक लोगों को भारतीय वीजा लेना आवश्यक है। यह शर्त सभी चीन मूलक लोगों पर लागू होगी चाहे उनके यात्रा पत्र किसी भी तरह के हों; यह शर्त सुरक्षात्मक उपाय के रूप में एमरजेंसी की घोषणा किये जाने के बाद लगाई गई थी। लेकिन चीन-मलक मलेशियाई राष्ट्रिकों के बारे में यह शर्त लागू नहीं होगी; उन्हें भारत में प्रवेश करने के लिए वीजा की जरूरत नहीं है।

भारत सरकार को ब्रिटिश सरकार की ओर से ब्रिटिश पासपोर्टों पर हांगकांग से आने वाले चीन मूलक लोगों के सम्बन्ध में वीजा के प्रश्न पर औपचारिक रूप से कोई विरोध-पत्र नहीं प्राप्त हुआ है। बहरहाल, ब्रिटिश सरकार ने इस शर्त के विषय में सामान्य रूप से शिकायत की है और हम ने

उन्हें समझा दिया है कि यह शर्त आपाती स्थिति के कारण लगाई गई है ।

**Aircraft Manufacturing Corporation**

136. **Shri Rameshwar Tantia:**
**Shri Onkar Lal Berwa:**
**Shri Dhaon:**

Will the Minister of **Defence** be pleased to state:

(a) whether Government propose to amalgamate all the existing aircraft manufacturing depots in the country and form a corporation to run it;

(b) if so, the reasons for taking such a decision; and

(c) how many manufacturing depots will be brought under one management under this scheme?

**The Minister of Defence Production in the Ministry of Defence (Shri Raghuramaiah):** (a) Yes, Sir.

(b) Better planning and coordination in the field of aircraft production, economies of large scale production and conservation of technical and design effort will accrue from the formation of an integrated corporation for manufacture of all types of aircraft and components.

(c) The new corporation will have within its ambit the aircraft factories now under management of Hindustan Aircraft Limited, the aircraft Factory at Kanpur, and the Factories which are being set up in collaboration with the U.S.S.R. Government for manufacturing supersonic aircraft.

**Pak. Ambush**

137. **Shri Onkar Lal Berwa:**
**Shri Rameshwar Tantia:**
**Shri Dhaon:**
**Shri A. S. Saigal:**

Will the **Prime Minister** be pleased to state:

(a) whether the Pakistan Government have replied to the Indian demand for compensation to the families of the 14 Indian Policemen killed in a Pakistani abmush within the Indian side of the ceasefire line in Kashmir;

(b) if not, what other measure the Government of India propose to take;

(c) whether India's permanent representative in U.N.O. has taken up the matter with the President of the Security Council on the basis of the award; and

(d) if so, the reaction of the Security Council thereupon?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** (a) and (b). Government is awaiting a reply from Pakistan.

(c) and (d). Yes, Sir. The U. N. Chief Military Observer's award and our protest to Pakistan were brought to the notice of the Security Council by the Permanent Representative of India to the United Nations on April 24, 1964. The Permanent Representative's letter was circulated to all Members of the United Nations as a Security Council document.

**Indian Survey Party on Indo-East Pakistan Border**

138. **Shri Rameshwar Tantia:**
**Shri Onkar Lal Berwa:**
**Shri Dhaon:**
**Shri Bishanchander Seth:**
**Shri Ram Harkh Yadav:**
**Shri D. C. Sharma:**

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that recently Pakistanis obstructed an Indian survey party who was putting up the Indo-Pak boundary pillars near the Mahananda river in North Bengal;

(b) if so, whether any protest was lodged with the Pakistan Government;

(c) the nature of reply, if any, received from Pakistan; and

(d) whether the work has been restarted or is still suspended?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** (a) and (b). Yes, Sir.

(c) No reply has been received from Pakistan so far.

(d) Joint survey work was resumed on the 10th May, 1964.

**Trespassing by Pakistanis**

139. **Shri Onkar Lal Berwa:**
**Shri Rameshwar Tantia:**
**Shri Dhaon:**
**Shri Bishanchander Seth:**

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that a Pakistani armed group crossed over to the Indian border village of Foutipara in Jalpaiguri District on the 4th May, 1964 and raided a house;

(b) whether it is also a fact that armed group looted all the property and killed a number of persons;

(c) the total estimated cost of property lost and the number of persons killed; and

(d) the action Government have taken in the matter?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** (a) On the morning of 4th May, 1964, some unarmed criminals, raided the house of Ashok Basu. It is not definitely known if the criminals were Pakistani nationals.

(b) There was no casualty. The criminals only took away a small quantity of paddy and rice.

(c) The total loss is estimated at Rs. 100 approximately.

(d) The Government of West Bengal have taken precautionary measures to stop recurrence of such activities.

**Publication of Journals**

**140. Shri Yashpal Singh:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether it is proposed to bring out language editions of some popular journals published by the Publications Division of the Ministry;

(b) if so, the names and the languages in which such journals would be published; and

(c) how much cost this will entail?

**The Minister of Parliamentary Affairs and Minister of Information & Broadcasting (Shri Satya Narayan Sinha):** (a) The Publications Division brings out seventeen journals, nine in English, seven in Hindi and one in Urdu. There is no proposal at present to publish any of these journals in any other language.

(b) and (c). Do not arise.

**पाकिस्तान द्वारा राजस्थान सीमा पर सड़कों का निर्माण**

१४१. **श्री प्रकाशवीर शास्त्री** : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राजस्थान में भारतीय सीमा के निकट पाकिस्तान की ओर कोई सड़कें बनाई जा रही हैं;

(ख) यदि हां, तो यह कार्य किस भाग में चल रहा है;

(ग) क्या भारत सरकार ने इस सम्बन्ध में पाकिस्तान को कुछ लिखा है; और

(घ) यदि हां, तो वहां से क्या उत्तर प्राप्त हुआ ?

**प्रतिरक्षा मंत्री (श्री यशवन्तराव चव्हाण)** : (क) और (ख). सरकार को मालूम है कि पाकिस्तान राजस्थान सीमा के अभिमुख सड़क संचार में सुधार कर रहा है।

(ग) जी नहीं ।

(घ) प्रश्न नहीं उठता ।

**Building of the Indian High Commission in U.K.**

142. **Shrimati Savitri Nigam:**
**Shri M. L. Dwivedi:**
**Shri Vishwa Nath Pandey:**

Will the **Prime Minister** be pleased to state whether the condition of our Embassy building in U.K. requires heavy repairs and renovations?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** No, Sir.

**Real Wages of Factory Workers**

143 **Shri P. C. Borooah:**
**Dr. Mahadeva Prasad:**

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether a recent Reserve Bank study has revealed that during the Second Plan period the real wages per factory worker had declined; and

(b) if so, Government's reaction thereto and the action taken in order to ensure that real wages of workers do increase in our future plans?

**The Minister of Labour and Employment (Shri D. Sanjivayya):** (a) Yes.

(b) Although the money wages of industrial workers increased continuously during the period of the Second Plan, the real wages declined mainly because of an upward consumer price movement. However, since 1960 the real wages have been showing a rise.

The rise is due to the effect of Wage Board awards which benefited workers in the more important industries.

This policy of adjusting wage levels through Tripartite Wage Boards will continue in future plans.

**पाकिस्तानियों द्वारा छम्ब क्षेत्र में गोली चलाया जाना**

१४४. **श्री ओंकार लाल बेरवा :**
**श्री गोकरन प्रसाद :**
**श्री अ० सिं० सहगल :**

क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि ५ मई की शाम को पाकिस्तानियों ने छम्ब क्षेत्र में (जम्मू के पश्चिम में) युद्ध-विराम रेखा के उस ओर से गोली वर्षा की; और

(ख) यदि हां, तो इसको रोकने के लिये भारत सरकार ने क्या कार्यवाही की ?

**प्रतिरक्षा मंत्री (श्री यशवन्तराव चव्हाण)** : (क) जी हां ।

(ख) मामला संयुक्त राष्ट्र के सैनिक प्रेक्षकों के ध्यान में लाया गया है । अन्य एहतियाती उपाय भी किये गये हैं।

### पहाड़ी तोप

१४५. { श्री ओंकार लाल बेरवा :
श्री गोकरन प्रसाद :

क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने पहाड़ी तोप बनाई है; और

(ख) यदि हां, तो उसकी लागत क्या आई है ?

**प्रतिरक्षा मंत्रालय में प्रतिरक्षा उत्पादन मंत्री (श्री रघुरामैया)** : (क) जी हां ।

(ख) तोप का सामान्य निर्माण आरम्भ हो चुका है, और उसके उत्पादन मूल्य का अनुमान इतना जल्दी नहीं लगाया जा सकता ।

### Pak. Atrocities on Minorities

**146. Shri S. M. Banerjee:** Will the **Prime Minister** be pleased to state:

(a) whether adequate steps have been taken to place a correct picture before foreign countries about Pakistan's atrocities on minorities;

(b) if so, the reaction of those countries; and

(c) further steps likely to be taken in the matter?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** (a) Yes, Sir.

(b) The reaction has been favourable.

(c) Efforts are continuing. Factual news reports are being continuously disseminated through all available media. Some publicity material has been prepared and a documentary film is under production.

### Wage Boards for Non-working Journalists

**147. Shri S. M. Banerjee:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether Wage Board in respect of non-working journalists has started functioning;

(b) if so, the progress made in this regard; and

(c) whether there is any proposal to grant interim relief to non-working journalists?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) Yes.

(b) The Wage Board has held two meetings so far.

(c) Representations have been received urging grant of interim relief. These representations have been forwarded to the Wage Board for their consideration.

### Wage Board for Engineering Industries

148. { **Shri S. M. Banerjee:**
**Dr. P. N. Khan:**
**Shri Subodh Hansda:**
**Shri S. C. Samanta:**
**Shri Dinen Bhattacharya:**

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether a final decision has been taken to appoint a wage board for the engineering industries covering both big and small industries; and

(b) if so, when the board is likely to be constituted?

**The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya):** (a) and (b). The matter is being considered in the light of the report of Study Group on

wages in the Engineering industry. This report was received only recently.

**Newspapers Advisory Committee**

149. { **Shrimati Savitri Nigam:** / **Shri Vishwa Nath Pandey:**

Will the Minister of **Information and Broadcasting** be pleased to refer to the reply given to Starred Question No. 1015 on the 13th April, 1964 and state the composition of the Advisory Committee on Indian Language Newspapers and its terms of reference?

**The Ministry of Parliamentary Affairs and Minister of Information and Broadcasting (Shri Satya Narayan Sinha):** The composition and terms of reference of the Advisory Committee, which has been named Enquiry Committee on Small Newspapers, are contained in the Resolution issued by Government on the 12th May 1964. A copy of the Resolution is laid on the table of the House. [*Placed in Library. See* No. LT-2905/64].

**Prohibition in Army**

151. { **Shri S. C. Samanta:** / **Shri Subodh Hansda:**

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the Prohibition Enquiry Committee has recommended the imposition of a ban on the use of liquor in the army; and

(b) if so, Government's reaction thereto?

**The Minister of Defence production in the Ministry of Defence (Shri Raghuramaiah):** (a) It is presumed that the hon'ble Member is referring to the Report of the Study Team on Prohibition headed by Shri Justice Tek Chand. The Team has recommended *inter alia* that drinking among the Armed Forces must be discouraged if it cannot be immediately banned.

(b) The recommendations of the Team are at present under examination.

**Special Services Fund for Ex-Servicemen**

152. **Shri D. C. Sharma:** Will the Minister of **Defence** be pleased to state:

(a) whether it has been decided to constitute a Special Services Fund for the benefit of the ex-servicemen with a contribution from the National Defence Fund;

(b) if so, the details of the scheme; and

(c) how the amount allocated is proposed to be utilised?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):** (a) Yes, Sir.

(b) This fund will be constituted with an initial contribution of Rs. 5 crores from the National Defence Fund and Rs. 1 crore per year from the Defence Budget. 80 per cent will be distributed to the States on the basis of the strength of recruits and 20 per cent will be kept as reserve at the Centre. The States have been asked to give matching grants against contributions made from the Defence Budget. The contribution from the Defence Budget will be initially for a period of 3 years and thereafter the position will be reviewed.

(c) The objects of the Fund are generally the same as those of the Post-War Services Reconstruction Fund, i.e., the benefit of Ex-servicemen. Rules for the administration of the Fund are under examination.

**Consumers Cooperative Stores**

153. { **Shri M. Malaichami:**
**Shri P. Venkatasubbaiah:**

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether there is any proposal to amend the Factories Act making it compulsory for the employers to run consumers' co-operative stores in their concerns; and

(b) if so, the details thereof?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) and (b). A proposal for making it compulsory for the employers to set up fair price shops or consumer stores is under consideration. Without the cooperation of workers, employers cannot set up consumer co-operative stores. The details of the proposal or scheme have not yet been worked out.

**Seizure of Contraband Goods from Naval Ships**

**154. Shri J. B. S. Bist:** Will the Minister of **Defence** be pleased to state:

(a) whether his attention has been drawn to reports of seizure of contraband goods from naval ships; and

(b) whether any investigations were held in the matter and if so, whether it has been declared that the ships involved had any links with the national smuggling organisations?

**The Minister of Defence (Shri Y. B. Chavan):** (a) Yes.

(b) On receipt of information with regard to alleged smuggling of consumer goods, etc., through Naval IN ships, Naval Authorities carried out an investigation on board ships while on passage in consultation with the Central Board of Revenue. On return of the ships to Indian ports, customs authorities carried out a special check which resulted in seizure of some luxury articles, transistors, radios, watches, etc. The case is still under investigation.

**Staff of the Dy. High Commissioner of India in Dacca**

155. { **Shri J. B. S. Bist:**
**Shri S. N. Chaturvedi:**

Will the **Prime Minister** be pleased to state whether the Pakistan Government have agreed to pay compensation to the 23 employees of the Office of the Deputy High Commissioner for India in Dacca whose properties were looted or damaged during the disturbances?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** No, Sir. The matter has been taken up with the Government of Pakistan and their reply is now awaited.

**Survey of Middle Class Family Living**

**156. Shri D. J. Naik:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that the Central Statistical Organisation has finalised its report of survey of Middle Class Family Living; and

(b) if so, the main findings of the survey?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** (a) The Central Statistical Organisation has recently brought out Volume I of the report on the Middle Class Family Living Survey.

(b) Copies of the Volume are available in the Parliament Library. Attention is invited to Chapter VIII of the Volume which presents a summary of conclusions.

**Missing Aircraft**

157. **Shri Hari Vishnu Kamath:**
**Shri Hem Barua:**
**Shri Y. D. Singh:**

Will the Minister of **Defence** be pleased to refer to the reply given to Starred Question No. 697 on the 23rd March, 1964 and state:

(a) whether the court of inquiry regarding the missing I.A.F. transport aircraft Ilyushin-14 has submitted its report; and

(b) if so, its findings and conclusions?

**The Minister of Defence (Shri Y. B. Chavan):** (a) Yes.

(b) As the report was not complete in all respects, it has been referred back to the Court of Inquiry for clarification of certain points. The final report is awaited.

**Concentration by Chinese and Pakistani Troops**

158. **Maharajkumar Vijaya Ananda:**
**Shri Onkar Lal Berwa:**
**Shri Gokaran Prasad:**
**Shri S. M. Banerjee:**
**Shrimati Jyotsna Chanda:**
**Shri Hem Raj:**
**Shri Veerappa:**

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the Chinese and Pakistani troops have recently concentrated on our borders; and

(b) if so, what steps Government are taking to safeguard the frontiers?

**The Minister of Defence (Shri Y. B. Chavan):** (a) Chinese concentration on our borders continues and is now heavier than what it was in November 1962. Pakistani activities on our borders, especially along the ceasefire line and the international border in J. & K., and certain areas of Assam and Tripura, also continue.

(b) Government have taken all possible steps to safeguard the borders.

**Information Personnel in External Affairs Ministry**

**159. Maharajkumar Vijaya Ananda:** Will the **Prime Minister** be pleased to state:

(a) whether the terms and conditions on a permanent tenure basis of the Information Personnel in the External Publicity Division have been finalised by the Ministry of External Affairs; and

(b) whether it is proposed to reserve a certain percentage of posts in Indian Foreign Service for the Personnel in the Information Service of the said Division?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** (a) The Government has agreed in principle to the grant of permanency to some of the officers of the Information Service of India. The terms and conditions are in the process of being finalised.

(b) The Indian Foreign Service (Recruitment, Cadre Seniority and Promotion) Rules, 1961, contemplate the reservation of 10 per cent of the Senior Scale and higher posts in the Indian Foreign Service Cadre to be shared between Grade I Officers of the IFS(B) and Officers of the Information Service of India not below the rank of Information Officer of six years standing. This promotion is to be based strictly on merit in consultation with the Union Public Service Commission.

**Dalai Lama's Visit Abroad**

**160. Shri Hari Vishnu Kamath:** Will the **Prime Minister** be pleased to state:

(a) whether the Dalai Lama has approached Government for providing facilities to travel abroad;

(b) if so, whether he has specified the countries which he would like to visit; and

(c) the decision of Government in the matter?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** (a) Yes; the Dalai Lama has indicated a desire to visit some Buddhist countries.

(b) Yes Sir.

(c) We have assured the Dalai Lama that we will give him such assistance as we can in the matter.

**Migration Certificates for D.Ps. from East Pakistan**

162. **Shri P. R. Chakraverti:**
**Shrimati Savitri Nigam:**
**Shrimati Akkamma Devi:**
**Shri Yamuna Prasad Mandal:**
**Shri N. P. Yadab:**

Will the **Prime Minister** be pleased to state:

(a) whether Government have received complaints about treatment accorded to migrants from East Pakistan by the Office of the Deputy High Commission for India, Dacca, for issue of migration certificates, during the last two months; and

(b) how far the addition of staff and other changes have brought about an improvement, thereby meeting the pressing demand of abnormal situation?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** (a) We received only one such complaint. Our enquiries have revealed that there is no substance in it.

(b) In the conditions of prevailing insecurity of life and property of the minorities in East Pakstan, our Deputy High Commission in Dacca are doing all that is expected of them for the minorities.

**Roadworthiness of Army Vehicles**

**163. Shri P. C. Borooah:** Will the Minister of **Defence** be pleased to state:

(a) whether a new yardstick has been laid down by the Army Authorities for determining the roadworthiness of their motor transport vehicles rendering a large portion of existing fleet as junk;

(b) if so, how many vehicles have been declared junk under the revised rules; and

(c) how these vehicles are being replaced and at what cost?

**The Minister of Defence (Shri Y. B. Chavan):** (a) A new policy for provisioning and discard of common user vehicles has been adopted for the Defence Services. In the past vehicles were overhauled from time to time and were continued to be used till they became unserviceable. As a result of experience it has been found that under this procedure a number of vehicles available at any period of time with the Defence Services are not sufficiently reliable for operational use. Under the new policy, vehicles will be discarded when they have completed a specified number of miles and number of years or otherwise require a complete overhaul.

(b) The vehicles being discarded under this policy will not be 'junk' but will have some life left at the time of discard. A total of about 38,000 vehicles are expected to be discarded by 31-3-1966.

(c) Having regard to the indigenous production capacity a phased programme has been drawn up for replacement of the older fleet of vehicles so as to ensure the availability of fully reliable vehicles to the Defence Services within as short a period of time as possible. According to the provisioning programme approved by Government, the total estimated cost of

purchase of military transport vehicles (motor-cycles, jeeps and 3-ton/1-ton vehicles) for the period 1-10-1963 to 31-3-1966 will be about Rs. 116 crores. This provides for replacement of 38,000 old vehicles discarded as well for making up deficiencies and for meeting additional requirements of the Services. When the position stabilises, there will be a steady intake of about 17,000 vehicles of these 4 categories and discards of the same number, according to the new yardsticks. Taking into account the likely realisations by sale of discarded vehicles and based on present costs, it is estimated that the annual expenditure on these four types of vehicles would be of the order of Rs. 22 crores per year. It is also expected that as a result of this policy, there will be saving on account of maintenance, repairs and overhauls, which it is difficult to estimate at this stage.

**Overtime Allowance in Ordnance Depots**

**164. { Shri P. L. Barupal: / Shri Heda:**

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that almost all Ordnance Depots are registered under the Factories Act, 1948;

(b) whether in these Ordnance Depots which are registered under Factories Act, 1948, the industrial staff is being paid overtime under the said Act and the clerical staff under the time rate i.e. on single hourly basis; and

(c) if so, the steps proposed to be taken to remove the disparity?

**The Minister of Defence (Shri Y. B. Chavan):** (a) to (c). The required information is being collected and will be placed on the table of the House.

**L.D.Cs. in Ordnance Depots**

**165. { Shri P. L. Barupal: / Shri Heda:**

Will the Minister of **Defence** be pleased to state:

(a) whether after the Emergency a considerable number of Lower Division Clerks have been employed in Ordnance Depots on casual basis;

(b) their total number as on the 30th April, 1964;

(c) whether it is a fact that no uniformity is being observed by Ordnance Depots in the matter of terms and conditions of service in respect of such personnel; and

(d) if so, the reasons therefor?

**The Minister of Defence (Shri Y. B. Chavan):** (a) to (d). The required information is being collected and will be laid on the Table of the House.

**Foreign Military Aid**

**166. Shri Daljit Singh:** Will the Minister of **Defence** be pleased to state:

(a) the names of friendly countries which have continued their supply of military aid and equipment to India during the last six months; and

(b) the details with the names of the friendly countries?

**The Minister of Defence (Shri Y. B. Chavan):** (a) Military aid and equipment has been received in India during the last six months from the following countries: —

U.S.A.
U.K.
AUSTRALIA
CANADA
U.S.S.R.
YUGOSLAVIA

(b) It will not be in the Public interest to disclose the details of the items and equipment received.

**Indian Air Space Violation**

**167. Shri Daljit Singh:** Will the Minister of **Defence** be pleased to refer to the reply given to Starred Question No. 1187 on the 25th April, 1964 and state:

(a) the number of Indian air space violations committed by the Pakistani planes since 19th March, 1964; and

(b) the action taken by Government in the matter?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):** (a) and (b). According to the information available to Government to-date, there have been six violations of Indian air-space by the Pakistani aircraft since 19th March 1964. Out of these, five violations were over the Cease-Fire line in J. & K. and Ceasefire line violation complaints have been lodged with the United Nations Military Observer Group. The remaining violation was over Tripura and a protest has been lodged with the Government of Pakistan.

**Naga Hostiles**

**168. Shri Sivamurthi Swamy:**
**Shri Yamuna Prasad Mandal:**
**Shri Sadhu Ram:**
**Shri [illegible]t Singh:**

Will the Minister of **Defence** be pleased to state:

(a) the number of military personnel killed since January, 1964 by the Naga hostiles; and

(b) how many hostiles have been killed during encounters with our defence forces?

**The Minister of Defence (Shri Y. B. Chavan):** (a) Total number of personnel belonging to Security Forces Nagaland who were killed in Nagaland during the period from 1st January to 21st May, 1964 is 33. The breakdown of this is as under:—

| | | |
|---|---|---|
| Army | .. | 21 |
| Police | .. | 3 |
| Assam Rifles | .. | 9 |

(b) 50 hostiles are known to have been killed during the period mentioned above in encounters with the Security Forces.

**Earthquake in Tanganyika**

**169. Shri Kolla Venkaiah:** Will the **Prime Minister** be pleased to state:

(a) whether the Government of India have extended any financial and other material aid to the victims of recent earthquake in Tanganyika; and

(b) if so, how much?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** (a) No, Sir.

(b) Does not arise.

**Target of Employment**

**170. Shri P. R. Chakraverti:**
**Shrimati Savitri Nigam:**
**Shri Hukam Chand Kachhavaiya:**

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether according to the latest estimate of the working group on Employment, ninety per cent of the target of employment will be reached by the end of Third Plan;

(b) what will be the backlog of unemployment at the end of 1965-66 as compared to the backlog at the end of the Second Plan period;

(c) whether plans are being drawn to step up the outturn of craftsmen; and

(d) if so, the number of Industrial Training Institutes that have been provided for the purpose?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) and (b). The working group has not made any estimate of the employment that will be created by the end of the Third Plan. Nor,

is it possible to estimate at this stage the backlog of unemployment at the end of 1965-66.

(c) and (d). The working group of the Planning Commission has suggested that the number of training places in the Institutes should be doubled. It is not possible at this stage to determine the number of new Institutes.

**Workers in Private Mines in Orissa**

**171. Shri Mohammad Elias:** Will the Minister of **Labour and Employment** be pleased to state:

(a) the total number of persons employed in the manganese, chromite and iron ore mines of Orissa held by private industrialists during the periods from 1958 to 1960 and from 1961 to 1963;

(b) whether there is any fall in employment during the period from 1961 to 1963 as compared to the period from 1958 to 1960; and

(c) the reason for the recent fall in employment?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) Average daily number of persons employed during 1958-62:

| Year | Manganese | Chromite | Iron Ore |
|---|---|---|---|
| 1958 | 15,148 | 1,228 | 15,967 |
| 1959 | 12,508 | 1,391 | 15,753 |
| 1960 | 11,180 | 1,389 | 17,283 |
| 1961 | 9,911 | 1,120 | 19,098 |
| 1962 | 9,877 | 1,310 | 17,721 |

Figures for 1963 are not available.

(b) and (c). There is no fall in employment in Chromite mines and Iron-Ore mines during the period 1961 to 1962 as compared to the period 1958-60. In respect of Manganese mines there has been a fall in employment which is due to a drop in the number of working mines, and the adverse economic conditions affecting the Manganese ore industry.

**Pak firing in Jammu**

**172. Shri Dhaon:**
**Shri Rameshwar Tantia:**
**Shri Bishanchander Seth:**
**Shri Shinkre:**

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that Pak troops fired on the 12th May, 1964 on the Indian Army Patrol near Jhangir in Jammu;

(b) if so, how many persons died as a result of the firing;

(c) whether any protest has been lodged to the U.N. observers about the frequent violation of the cease-fire line by Pakistanis; and

(d) if so, the reaction of the U.N. observers thereupon?

**The Minister of Defence Production in the Ministry of Defence (Shri Raghuramaiah):** (a) Our patrol was fired upon from across the cease-fire line near Jhangar on 11th May 1964.

(b) One sepoy was seriously wounded and he has subsequently succumbed to his injuries.

(c) Yes, Sir. Whenever the cease-fire line or agreement is violated, a protest is lodged.

(d) In so far as this particular incident is concerned, the award of UN Observers is awaited.

**New Radio Stations**

**173. Dr. L. M. Singhvi:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the progress made in setting up new radio stations during the last two years;

(b) the plan for the remaining period of the Third Five Year Plan; and

(c) whether any criteria has been evolved for this purpose?

**The Minister of Parliamentary Affairs and Minister of Information and Broadcasting (Shri Satya Narayan Sinha):** (a) Four new full-fledged radio stations were set up at Kurseong, Kohima, Port Blair and Imphal during the years 1962-63 and 1963-64.

(b) Three more radio stations are proposed to be set up at Pondicherry, Bhuj and Daman during the remaining period of the Third Five Year Plan.

(c) The radio stations are generally located at the cultural and linguistic centres of the respective regions to ensure effective utilization of talent and a high standard of programmes. The locations are also guided by requirements of the broadcast coverage and other special characteristics of the area.

**Emergency Commissions**

**174. Shri Gulshan:** Will the Minister of **Defence** be pleased to state:

(a) the total number of candidates enrolled in the Emergency Commission so far; and

(b) how many among them belong to the Scheduled Castes?

**The Minister of Defence (Shri Y. B. Chavan):** (a) The total number of candidates granted Emergency Commissions so far is 7429.

(b) Among them 36 candidates belong to the Scheduled Castes. In addition, there are 36 candidates belonging to the Scheduled Tribes.

**Pakistani Raid**

**175. Shri P. C. Borooah:** Will the **Prime Minister** be pleased to state:

(a) whether a group of armed Pakistanis trespassed into Indian territory at Tajpur in Karimpore Police Station area in Nadia district on the 12th May, 1964, and attacked Indian patrol party;

(b) if so, how many persons were killed or injured in the exchange of fire on either side; and

(c) what is Government's reaction thereto?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** (a) On 12th May, 1964 about 40 Pakistani nationals armed with spears, lathis etc. trespassed into Indian Territory at Tajpur and attempted to lift cattle. Our Tajpur Border Outpost Patrol Party intervened and the Pakistani miscreants attacked them. The Indian Patrol Party had to fire in self-defence.

(b) Three of the Pakistani miscreants were injured. Two injured persons fled away to Pakistan while the third one, Rahman Mandal, was brought to the Karimpur Health Centre and later removed to Krishnanagar Sadar Hospital where he is still under treatment. There has been no casualty on the Indian side.

(c) A case has been registered under the I.P.C. and Indo-Pakistan Passport Rules and a charge sheet is being given. District Magistrate, Nadia has lodged a protest with the District Magistrate, Kushtia. Action also is being taken at the State level to lodge a protest.

**Working Class Cost of Living Index Number**

**176. Shri Hukam Chand Kachhavaiya:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether Government have advised the State Governments to set up enquiry committees, to go into the problem of the scientific basis of the working class cost of living index number; and

(b) if so, how many State Governments have so far accepted to set up such committees?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) A decision was taken at a meeting of State Labour Secretaries held on April, 21-22, 1964, that State Governments which had already set up Expert Committees or were proposing to do so in respect of their own series of Consumer Price Index numbers might go ahead with their proposals. Such Committees could go into the question of:—

(i) defects in the old series, and

(ii) rectification of mistakes, if any, which might have occurred in the old series.

(b) Information is being collected from State Governments.

**Interim Relief to Working Journalists**

**177. Shri Mohammad Elias:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether the working journalists' demand for interim relief pending the submission of Second Wage Board's report has been considered by Government; and

(b) if so, the decision taken thereon?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) and (b). The demand has been forwarded to the Wage Board for Working Journalists. It has been requested to consider the demand and send its views to Government.

**Labour Commissioner of Andaman and Nicobar Islands**

**178. Shri Mohammad Elias:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that the workers of private industries and contractors cannot represent their grievances before the Labour Commissioner in Andaman and Nicobar Islands; and

(b) if so, whether there is any proposal to appoint a regular Labour Commissioner and to establish a regular Labour Department there?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) and (b). Information is being collected and will be placed on the Table of the Lok Sabha.

**Land for Stadium at Calcutta**

**179. Shri Mohammad Elias:** Will the Minister of **Defence** be pleased to state:

(a) whether Government have accepted the request of the West Bengal Government for the release of land to build the Stadium at Calcutta; and

(b) if so, how much land is being given to the State Government by the Central Government for that purpose?

**The Minister of Defence (Shri Y. B. Chavan):** (a) and (b). The matter is still under consideration of the Government.

**Programme Executives in A.I.R.**

**180.** { **Shri M. Rampure:** / **Shri D. D. Mantri:**

Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether it is a fact that an examination was held by the U.P.S.C. for filling up 123 posts of Programme Executives some time in 1963;

(b) if so, the number of persons finally selected; and

(c) the number of departmental candidates among them and whether Government propose to hold another examination in the near future to fill up the remaining vacancies?

**The Minister of Parliamentary Affairs and Minister of Information and Broadcasting (Shri Satya Narayan Sinha):** (a) An examination was held by the Union Public Service Commission in May, 1963 for filling up 23 vacancies of Programme Executive immediately and for keeping a waiting list of 100 candidates to fill posts likely to be sanctioned in the course of the next 12 months. Subsequently, the strength of Programme Executives at the various stations of All India Radio was reviewed and as a result thereof, 45 vacancies were finally reported to the Commission and they were also requested to keep another 46 names on the waiting list.

(b) Forty-two.

(c) Ten (including one Staff Artist on contract). The question on holding another examination will be considered in due course.

**Provident Fund and Bonus at Neyveli Lignite Corporation**

181. **Shri Eswara Reddy:** Will the Minister of **Labour and Employment** be pleased to state:

(a) the number of workers of the Neyveli Lignite Corporation who are coverable under the Coal Mines Provident Fund and Bonus Scheme Act, 1948; and

(b) when the above Act is likely to be extended to the above employees?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) Some of the units of the Neyveli Lignite Corporation are coverable under the Coal Mines Provident Fund and Bonus Schemes Act, 1948, and some other units under the Employees' Provident Fund Act, 1952. The question as to which units and the workers are to be covered under the Coal Mines Provident Fund and Bonus Schemes Act, 1948, is under examination. The Corporation have a Provident Fund Scheme of their own for certain categories of their employees.

(b) As early as possible.

**Pamphlet on "Women in Employment"**

182. **Shri Eswara Reddy:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether the pamphlet on "Women in Employment" by the Labour Bureau has since been published;

(b) if not, the reasons for the delay; and

(c) when it is likely to be published?

**The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya):** (a) to (c). The pamphlet on "Women in Employment" is expected to be published by the end of this month.

**A.I.R. Programmes**

183. **Shri Sivamurthi Swamy:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) how much time is allotted for daily or weekly broadcasts of programmes on A.I.R. for all the fourteen languages, (Language-wise);

(b) whether any time is allotted for special programmes in each language on various cultural or religious holidays;

(c) whether any representation has been made to Government to allot more time for Kannada cultural programmes by the people of Mysore State; and

(d) the reaction of Government thereto?

**The Minister of Parliamentary Affairs and Minister of Information and Broadcasting (Shri Satya Narayan Sinha)**: (a) The requisite information is being collected and will be laid on the Table of the Sabha as soon as possible.

(b) Special programmes on cultural and religious occasions are broadcast in all languages according to the significance of each occasion.

(c) No, Sir.

(d) Does not arise.

**M.I.G. Projects**

184. **Shri Dhaon:**
**Shri Rameshwar Tantia:**
**Shri Bishanchander Seth:**
**Dr. Mahadeva Prasad:**

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that a delegation is visiting Russia to speed up the work regarding the setting up of MIG projects in India;

(b) if so, when; and

(c) whether it is also a fact that projects reports for two factories at Nasik and Koraput have been completed?

**The Minister of Defence Production in the Ministry of Defence (Shri Raghuramaiah)**: (a) Yes, Sir. A proposal to send a delegation to Russia is under consideration.

(b) The date of the visit has not been finalised.

(c) Yes, Sir.

**Chinese Holding 'KMT' Passports**

185. **Shri Kapur Singh:**
**Shri P. K. Ghosh:**

Will the **Prime Minister** be pleased to state:

(a) how visa facilities are given to the tourists holding 'KMT' China passports if they want to visit India; and

(b) whether Indian Government have any arrangement to provide visas to the KMT Chinese to visit India, if they want to come here to attend International Conference?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda)** (a) Visa facilities are not given to tourists holding 'KMT' China passports to visit India.

(b) Chinese (Formosan) nationals are allowed to come to India to participate in conferences, training courses etc., sponsored by the U.N. and its specialised agencies. Visas in such cases are granted on affidavits.

**Casual Labour**

186. **Shri Priya Gupta**: Will the Minister of **Labour and Employment** be pleased to state whether Government have any proposal for reviewing the rates of pay to the casual labour employed in the Central Government establishments including the Railways which was fixed about 5 years back according to their cost of living?

**The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya)**: The Joining Fixation and Revision Committee, set up under Section 5(1)(a) of the Minimum Wages Act, 1948, for the Central sphere undertakings, at its meeting held on April 27, 1964, had recommended certain proposals for revision of wages for workers employed in stone breaking and stone crushing, construction and maintenance of roads and building operations etc., engaged by various employing ministries such as Railways, Defence, Transport, Works and Housing, Information and Broadcasting etc. Necessary action to give effect to these recommendations is being taken in consultation with the employing Ministries.

**National Sample Survey**

187. { **Shri Sham Lal Saraf:** / **Shrimati Savitri Nigam:**

Will the **Prime Minister** be pleased to state:

(a) whether the National Sample Survey has compiled figures of actual per capita holdings of land upto 3 acres or less; and

(b) if so, what is the number?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** (a) No figures of land holdings on per capita basis have been compiled by the National Sample Survey, but some information on the estimated number of households operating/owning land less than three acres is available.

(b) The estimated number of households operating/owning land less than three acres is as under:—

| Classification | No. in millions | |
|---|---|---|
| | July 1954 to April 1955 | July 1960 to June 1961 |
| (1) | (2) | (3) |
| 1. Operational holdings of land less than 3 acres . | 37·7 | 42·4 |
| 2. Ownership holdings of land less than 3 acres . | 41·7 | Not available |

**Programme Executives in A.I.R.**

**188. Shri Ramanathan Chettiar:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the normal stay of a Programme Executive in the A.I.R. at one Station; and

(b) the number of such officers who have stayed in Delhi continuously for the last more than four years?

**The Minister of Parliamentary Affairs and Minister of Information and Broadcasting (Shri Satya Narayan Sinha):** (a) Normally, a Programme Executive in the All India Radio is required to work at a Station for a period not exceeding five years. However, his stay at a Station depends mainly on the exigencies of service such as the programme requirements of the Station, special utility of the person for a particular programme activity, his linguistic knowledge, etc.

(b) 19.

**Pakistani Intrusion in Betar Dam Area**

189. { **Shri Bishanchander Seth:** / **Shri Rameshwar Tantia:** / **Shri Dhaon:**

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that **Pakistani** troops entered into Indian **territory** near Betar dam in Poonch **and** arrested some villagers on the **Indian** side and also prevented Indians **to** fetch water from a spring well;

(b) if so, whether any protest **has** been lodged with U.N. Observers; **and**

(c) if so, the reply received **thereof?**

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):** **(a)** Yes, Sir. On 18th May, 1964, **Pakistani** troops apprehended 3 Indian **civilians** who were collecting water **from** a spring in Betar Dam area, **approx.** 3 miles north of Poonch. The **civilians** were beaten by Pakistani **troops,** and were released after a warning **that** they should not collect water **from** the spring. A little later, **Pakistani** troops fired one round at our **civilians** in the same area.

(b) and (c). A cease-fire **violation** complaint was lodged with **the U.N.** Observers. A U.N. officer **visited the** area of occurrence for **investigation.** The award of the U.N. **Observers is** awaited.

**Dalai Lama's Offices in Countries Abroad**

**190. Shri D. C. Sharma:** Will the **Prime Minister** be pleased to state:

(a) whether the Dalai Lama has expressed a desire to open offices outside India; and

(b) if so, the reaction of the Government of India thereto?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** (a) and (b). Yes, Sir. The Dalai Lama has expressed a desire to open offices of his Personal Representatives in one or two countries. The Government of India have told him that the matter will be considered.

**Stateless Chinese Residents in India**

**190-B. Shri Kapur Singh:**
**Shri P. K. Ghosh:**

Will the **Prime Minister** be pleased to state:

(a) what is the basis on which the Government differentiate the KMT Chinese and the Communist Chinese residents of India out of those who have been declared as 'Stateless';

(b) whether any representation was received recently by the Government of India from the Overseas Chinese Association of India loyal to KMT China in this regard; and

(c) if so, what action Government propose to take?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** (a) As far as Stateless Chinese are concerned, technically it is not possible to differentiate between KMT Chinese and the Communist Chinese residents of India since they do not hold documents showing their political allegiance. The security of the country is the sole consideration which affects Government's policy in dealing with persons of Chinese origin.

(b) A representation was received recently by the Government of India from the Overseas Chinese Association of India.

(c) The various issues raised in this representation are under Government's active consideration.

**Study Team of International Jurist Commission**

**190-C. Shri Maheswar Naik:**
**Shri Rameshwar Tantia:**
**Shri Onkar Lal Berwa:**
**Shri Dhaon:**
**Shri Ram Harkh Yadav:**

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that the International Jurist Commission will soon depute some neutral jurist members to study the causes of influx of refugees from East Pakistan to India; and

(b) if so, the reaction of the Government of India thereto?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** (a) and (b). Yes Sir, some preliminary exchanges have taken place between the International Commission of Jurists and the Government of India. The matter is under consideration.

**National Income**

**190-D. Shri Sham Lal Saraf:**
**Shrimati Savitri Nigam:**

Will the **Prime Minister** be pleased to state:

(a) whether dependable statistics of National and *per capita* incomes have by now been compiled; and

(b) if so, the details thereof?

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri**

**Nanda):** (a) and (b). Every effort is made to present dependable statistics of National and *Per Capita* Incomes. The possibilities of making improvement in compiling these statistics are beng earnestly explored through several studies which are expected to be completed by about the end of this year.

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**12.00 hrs.**

## CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

### INDIA-CHINA BORDER DISPUTE

**Shri R. G. Dubey** (Bijapur North): I call the attention of the Prime Minister to the following matter of urgent public importance and I request that he may make a statement thereon:—

> "The reported news about the Chinese rejection of the proposal regarding talks on the basis of no posts in the demilitarised zone."

**The Minister without portfolio (Shri Lal Bahadur Shastri):** On April 13, during the course of the reply to the demand for grants, our late Prime Minister made a reference to the question of civil posts in the demilitarized zone in Ladakh. This question of posts had come up because of the Chinese refusal to accept the Colombo Proposals in full. The House will recall that one of the two Chinese reservations to the Colombo Proposals was that while the Chinese would maintain their so-called civil posts in this demilitarized zone there should be no Indian civil posts in this area. As the deadlock over the Colombo Proposals centred mainly round this Chinese objection, attempts were made by parties friendly to both India and China to find a way out, without departing from the substance of the Colombo Proposals.

On April 13, the House was informed that Mrs. Bandaranaike, in one of her recent letters, had asked us whether the withdrawal of all the Chinese posts in the demilitarized area, could be considered by us to be a fulfilment of the Colombo Proposals. The same idea had been advocated by the two representatives of Lord Russell who had come and seen the late Prime Minister, last summer. The representatives of Lord Russell as well as Mrs. Bandaranaike were informed that such a proposal could be considered by us if a proper approach was made by China. Our position on this question remains unchanged. We have declared our willingness to solve the border question through peaceful negotiations. We have demonstrated this willingness by accepting, without reservations, the recommendations of the Colombo Conference.

The statements emanating from Peking are not encouraging in this matter. The Hon'ble Members must have seen reports of the comment made by the New China News Agency on the question of the withdrawal of posts. The suggestion has been characterized as a 'pre-condition for holding negotiations between the two countries' and as an 'attempt to cover up India's stubborn stand against holding direct negotiations on the basis of the Colombo Proposals'. If the New China News Agency's comment represents the considered stand of the Government of China, it would be clear that, despite all their professions to the contrary, China is not interested in accepting the Colombo Proposals or in direct negotiations with India at present.

**Shri R. G. Dubey:** In view of the optimistic tone of the condolence message sent by the Chinese Prime Minister . .

**Shri U. M. Trivedi** (Mandsaur): How is it optimistic?

**Shri Nath Pai** (Rajapur): It is not optimistic, but it is sycophantic. (*Interruptions.*)

**Mr. Speaker:** Order, order. The hon. Member may put the question directly without giving any opinion

on their behalf; that might or might not be correct.

**Shri Nath Pai:** Let them not be sycophants.

**Mr. Speaker:** Shri R. G. Dubey might put the question directly.

**Shri R. G. Dubey:** Shri Nath Pai may be a wise man, but I have the right to ask my question.

**Mr. Speaker:** Shri Nath Pai may have patience.

**Shri Nath Pai:** How can we have patience when he says like that?

**Shri R. G. Dubey:** May I know whether our *Charge d'affaires* in Peking has had any personal meeting with the Prime Minister of China and other dignitaries and tried to find out how exactly their mind is working towards the offer made by the late Prime Minister?

**Shri Lal Bahadur Shastri:** No.

**Shri Harish Chandra Mathur** (Jalore): May I know the implications of this new move and how it affects our original stand?

**Shri Lal Bahadur Shastri:** Materially, nothing has happened so far. As the hon. Member has just heard, the New China News Agency has completely ruled out the consideration of any such suggestion from our side.

So far as the implications are concerned, I think we need not discuss them. But in any case, what our late Prime Minister had suggested was to make the position more or less the same both for China as well as for India. If the seven check-posts are withdrawn by the Chinese and we have no check-posts there, it will bring us to an equal level. That is perhaps the implication of the proposal.

**Shri Jashvant Mehta** (Bhavnagar): The late Prime Minister had given a broad hint at the AICC meeting at Bombay. The hon. Minister has stated just now that there is no further development. May I know whether there is any change in the original stand of the Government or whether they continue to keep their original stand or original policy as before?

**Shri Lal Bahadur Shastri:** This is no major or substantial change. Our stand remains the same, that is, the original stand.

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**12.07 hrs.**

## *RE.* LEADERSHIP OF COMMUNIST GROUP IN LOK SABHA

**Mr. Speaker:** Now, Papers to be Laid on the Table.

**Shri Nambiar** (Tiruchirapalli): Before you proceed to the next item, I would request you to clarify the position on a procedural matter.

On the 29th May, 1964, when respectful homages were paid to the late Prime Minister, you, Sir, had called the Deputy Leader of the Communist Group, when the leader Shri A. K. Gopalan was present in his seat. This created a misapprehension in the minds of all as to whether you had withdrawn the recognition given to Shri A. K. Gopalan as the leader of the Communist Group here. We would like to know the real position.

**Mr. Speaker:** Has not the Speaker the right to call anybody he likes? That is one thing.

**Shri S. M. Banerjee** (Kanpur): Anybody who catches the eye?

**Mr. Speaker:** I am coming to that.

The difficulty has arisen because I have been receiving some contradictory communications from the Communists. It seems that there are two factions just at this moment.

**Shri Nath Pai** (Rajapur): Factions?

**Mr. Speaker:** Factions inside the group itself.

[Mr. Speaker]

But both are agreed that the Communist Party remains the same as a whole. They are not prepared to concede the reality that there is difference and there are two groups; they do not say that. But they say that the Communist Party remains just as one. They are also agreed that Shri Vasudevan Nair is the secretary and Shri Nambiar the Whip.

But the difficulty arises that Shri Vasudevan Nair writes to me that there has been a regular meeting and Shri A. K. Gopalan has been replaced by Shri H. N. Mukerjee, but Shri Nambiar writes to me that the meeting was unconstitutional, improper and invalid, and, therefore, the position remains the same as before. So far as the meetings are concerned, the Speaker cannot be expected to go into the validity of the meetings; it is for the courts to decide whether it was a valid or a good meeting or not. I am not concerned with that.

I have written to the hon. Members and to both the Whip and the secretary that they should clarify the position. But instead of clarifying the position, they have added more confusion. The greater the number of communications that I receive, the greater is the confusion created thereby. I rather desired that the Whip and the secretary might ascertain the views of the individual Members and communicate to me so that the position might be finalised. But they have not done that; instead, I am being pressed that I should find out the views of the individual Members. If this position continues, certainly, there would be no option to me except to find out the wishes of the individual Members in this regard. Therefore, I am having further enquiries made, and I shall announce my final decision when these enquiries are completed.

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**12.10 hrs.**

## PAPERS LAID ON THE TABLE

### NOTIFICATIONS UNDER CUSTOMS ACT ETC.

**The Minister of Planning (Shri B. R. Bhagat):** I beg to lay on the Table—

(1) a copy each of the following Notifications under section 159 of the Customs Act, 1962:—

(i) G.S.R. 545 dated the 4th April, 1964.

(ii) G.S.R. 596 dated the 11th April, 1964 containing the Manufacture in Customs Bonds (General) Amendment Rules, 1964.

(iii) G.S.R. 600 dated the 11th April, 1964.

(iv) G.S.R. 637 dated the 17th April, 1964.

(v) G.S.R. 693 dated the 2nd May, 1964.

(vi) G.S.R. 694 dated the 2nd May, 1964.

(vii) G.S.R. 695 dated the 2nd May, 1964.

(viii) G.S.R. 696 dated the 2nd May, 1964.

[*Placed in Library. See* No. LT-2896/64].

(2) a copy each of the following Notifications under section 159 of the Customs Act, 1962 and section 38 of the Central Excises and Salt Act, 1944, making certain further amendments to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960:—

(i) G.S.R. 491 dated the 21st March, 1964.

(ii) G.S.R. 597 dated the 11th April, 1964.

(iii) G.S.R. 598 dated the 11th April, 1964.

[*Placed in Library. See* No. LT-2897/64].

(3) a copy of Notification No. G.S.R 599 dated the 11th April, 1964, under section 159 of the Customs Act, 1962 and section 38 of the Central Excises and Salt Act, 1944.

[*Placed in Library. See* No. LT-2898/64].

(4) a copy of the Central Excise (Fifth Amendment) Rules, 1964 published in Notification No. G.S.R 642 dated the 17th April, 1964, under section 38 of the Central Excises and Salt Act, 1944.

[*Placed in Library. See* No. LT-2899/64].

(5) a copy of Notification No. 2/64 dated the 28th March, 1964 containing amendments to Schedules 'C' and 'D' to the General Regulations of the Industrial Finance Corporation of India, under sub-section (3) of section 43 of the Industrial Finance Corporation Act, 1948.

[*Placed in Library. See* No. LT-2900/64].

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**12.12 hrs.**

## OPINIONS ON BILL

**Shrimati Lakshmikanthamma** (Khammam): I beg to lay on the Table Paper No. III to the Bill further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898, which was circulated for the purpose of eliciting opinion thereon by the direction of the House on the 13th September, 1963.

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**12.12½ hrs.**

## ESTIMATES COMMITTEE

### Fifty-ninth and Sixtieth Reports

**Shri A. C. Guha** (Barasat): I beg to present the following Reports of the Estimates Committee on the Ministry of Industry:—

(1) Fifty-ninth Report on action taken by Government on the recommendations contained in the 162nd Report of the Estimates Committee (Second Lok Sabha) on the late Ministry of Commerce and Industry—Office of the Textile Commissioner (Part I).

(2) Sixtieth Report on action taken by Government on the recommendations contained in the 163rd Report of the Estimates Committee (Second Lok Sabha) on the late Ministry of Commerce and Industry—Office of the Textile Commissioner (Part II).

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**12.13 hrs.**

## CONSTITUTION (NINETEENTH AMENDMENT) BILL

**Mr. Speaker:** Shri A. K. Sen.

**Shri P. K. Deo** (Kalahandi): Before you proceed to the legislative business, I need a clarification.

**Mr. Speaker:** Is there some ambiguity?

**Shri P. K. Deo:** Yes. The present Government has been characterised by the present Prime Minister and the Minister of Parliamentary Affairs as a caretaker Government. The function of a caretaker Government is to just carry on day-to-day routine administration. This legislative business is of far-reaching consequence. It wants to amend the Constitution, to uphold which all of us have taken a pledge in this House. So, in this regard I beg to submit that when the whole atmosphere has been saturated with all speculation, is it not proper that we postpone the discussion of this important item till such time as a permanent Government comes into the picture, and a successor to the Prime Minister is duly elected by the party in power?

**Mr. Speaker:** Is it a point of order, an appeal to me, or an appeal to the Government?

**Shri P. K. Deo:** This thing never happened before. We are going to create a convention for posterity, and we should create healthy conventions.

**Mr. Speaker:** I only put this question to the hon. Member: is it an appeal to me that I should exercise some discretion, or is it an appeal to the Government?

**Shri P. K. Deo:** It is an appeal to you, the House and the Government.

**Mr. Speaker:** I have no power.

**Shri P. K. Deo:** After all, we have to create healthy democratic conventions for posterity. Even if this legislation is rushed through, it is for the successor Government to implement it. Under the circumstances, is it not proper that the whole thing is postponed till such time as a permanent Government comes into the picture?

**Mr. Speaker:** It is for the Government.

**Shri J. B. Kripalani** (Amroha): I want to say something in this connection. May I sit down and speak?

**Mr. Speaker:** Yes.

**Shri J. B. Kripalani:** It is undeniable that not only the House, but the country is today under a very great strain, and a new Government is going to be formed. I think it would be graceful for this Government not to take up this controversial amendment of the Constitution at this time.

**Some hon. Members:** No.

**Shri J. B. Kripalani:** It is only a question of what is graceful under the circumstances, and what is not so graceful, that is all. If they feel that they must go their way in spite of the strain from which we in the House and the country are suffering, of course, they are the masters.

**The Prime Minister, Minister of External Affairs, Minister of Home Affairs and Minister of Atomic Energy (Shri Nanda):** I appreciate the sentiment expressed by the hon. Member, Acharya Kripalani, but that does not lead to the conclusion which he would prefer. I do not think the Constitution knows any such thing as a caretaker Government, and even if it is a caretaker Government, it is the duty of the Government to take care, good care of a measure which has been introduced and has to be implemented.

**Mr. Speaker:** Shri A. K. Sen.

**Shri A. K. Sen** rose—

**Shri Kashi Ram Gupta** (Alwar): I wish to raise a point of order on this.

**Mr. Speaker:** On his standing up? He has stood up.

**Shri Ranga** (Chittoor): You are asking him to make the motion?

**Mr. Speaker:** Yes. When the motion is placed before the House any point of order can be raised, not now.

**Shri Ranga:** Not a point of order. I want to know the time to be allotted.

**Mr. Speaker:** Does he want it to be decided first?

**Shri Ranga:** I think it is better. We learn from the papers circulated that only three hours are expected to be devoted to this particular purpose. I had the honour of writing and requesting you to see that more time is allotted, and I suggested ten hours. I find that the Business Advisory Committee has not been consulted at all, and it is expected to meet only this afternoon. Therefore, I request you here to be good enough to agree, since the Prime Minister was not agreeable to the suggestion made by our friends Shri P. K. Deo and Kripalaniji that the consideration of this Bill should be deferred as a matter of grace. That has not appealed to the Prime Minister. Very well. I would appeal to them to be

good enough at least to allow the House more time than they thought fit, in consultation with yourself I expect, so far.

So many things have happened since we dicussed it last time. All over India, there has been agitation in regard to this matter, prior to it and also afterwards, and we have so many considerations to be advanced also before the House, not only from this side, but from various sides of the House. Therefore, I appeal to the House and the Government and yourself also to be good enough to give us at least ten hours, so that we can have a satisfactory discussion of this very important, very controversial amendment of the Constitution.

I wish to sound a note of warning also. Let there not be an impression created in the country that because of the determination of the present Prime Minister and others who are interested in this Bill to push it through under any circumstances, that they have even denied, even at this last stage, sufficient opportunity to this House to discuss this Bill adequately and satisfactorily.

**Shri U. M. Trivedi** (Mandsaur): May I have a word? I do not support every word that has been used by my hon. friend Shri Ranga. but in this case I feel that this Bill has got a schedule consisting of 63 Acts. All these Acts were in the former schedule, and it would require a good deal of study and discussion, because some of them obviously are not in the shape of land reforms; they may be in some indirect or direct way, and even then you will find that they are not exactly affecting land reforms. Under the circumstances, a proper discussion on this Bill of all these matters will be necessary.

On the last occasion, if you remember, we had allotted about 12 hours for discussion of this Bill. Under the circumstances, I do not see any reason why it should be given only three hours now. I think you will be kind enough to have it for ten hours.

**Mr. Speaker:** We must not forget that we had gone to a particular stage, and speeches had been made in support or against it. We had spent about seven hours I suppose on the general discussion.

**Shri Surendranath Dwivedy** (Kendrapara): Eight hour.

**Mr. Speaker:** Eight hours we had already spent, and four hours remained at the stage that we had reached at that moment.

Of course, Prof. Ranga is right. He wants to oppose it, and his party also. and there may be some others as well. I would not allow this impression to go round that they had not enough opportunity, but I do not think that at this moment we should again start saying that ten hours must be given to it. I have a safeguard for those who want to oppose, namely that those who want to oppose would get that time that they would have if ten hours had been allotted; they would get that time, and I would deduct that from the Congress Party. They would not be barred from expressing their opinion and having the whole time that they would have got if the allotment had been ten hours. That I will do.

**Shri Kashi Ram Gupta:** I have to point out a difficulty that will arise later on. The difficulty is that Government is moving an amendment to make it the seventeenth instead of the nineteenth amendment of the Constitution. The Bill has been introduced as the nineteenth amendment, and amendments, have been also tabled to the ninteenth amendment. If the amendment to make it the seventeenth amendment is taken up later on, the whole thing will be put into difficulty.

**Mr. Speaker:** I appreciate. We shall see if that makes any difference.

**The Minister of Law (Shri A. K. Sen):** Sir, I beg to move:

> "That the Bill further to amend the Constitution of India, be taken into consideration."

It is hardly necessary to reiterate the arguments which we had advanced at length on the last occasion; when the matter was before the House we explained the reasons why the measure has been brought and why it had been forced upon us. It also went before the Joint Committee and the Joint Committee went into the measure, thoroughly examined each and every Act and made a careful scrutiny of all the provisions of the Act. Many important amendments were moved on behalf of the Government, particularly one relating to acquisition of land over tre ceilings in the different States and ultimately the matter came up before the House and the House considered it in great detail and it is only by some technical flaw and by reason of the absence of the requisite number of members just at the moment voting was called for that the measure fell through. It is, therefore, not necessary to recount all that has been said on that occasion. I would only say again, as I said when the motion was introduced before the House, that we stand pledged to the country to pass this measure and to remove all the fetters which have now appeared in the way of our introducing and enforcing the land reform measures in the different States. There are certain decisions of the Supreme Court and of several High Courts to the effect that part III applies as a whole, notwithstanding acquisition of land under article 31(a); nine State Acts have been struck down and others are under challenge. In many areas where the term 'estate' had a rather restricted definition, ceilings have been imposed having regard to the particular context about the family holdings and other holdings and it has become impossible to enforce land reforms in regard to ryotwari settlement.

**Shri Ranga:** Has every one of the Acts that you propose to put in the Schedule been challenged in the Supreme Court?.

**Shri A. K. Sen:** By a process of reasoning, it is apprehended that many of these Acts may be challenged.

**Shri Ranga:** Because you are afraid that they are bad Acts.

**Shri A. K. Sen:** Most of them are facing challenge in the courts and I explained the position in the Joint Committee. We took a good deal of care to read through each of those Acts which would be abrogated by reason of the decisions of the Supreme Court and the different High Courts and those Acts which come within the purview of those decisions. That is restricted definition . .

In certain States the expression 'estate' had a rather restricted effect whereas in States like Bengal, Bihar and U.P. ryotwari settlement had been brought under land reform legislation. It appears that in regard to certain areas transferred from Madras to Kerala and Andhra and also in regard to certain settlements and holdings in Gujarat and the old Maharashtra State, the word 'estate' acquired a rather restricted definition . . .

**Shri Ranga:** Even according to Pandit Nehru's statements in Parliament.

**Shri A. K. Sen:** If you quote him, you ought to quote him completely in support of this legislation.

**Shri Ranga:** He has said so quite clearly about ryotwari settlements.

**Shri A. K. Sen:** If he has said so, he has said so and we shall follow him. The necessity is two-fold. The word 'estate' has to be widened. Secondly, certain Acts have been struck down

on the ground that they contravene articles 19 and 14 of the Constitution. They relate to the enforcement of ceilings and distribution of land once acquired among the landless. It is there that the application of articles 19 and 14 come into operation. In order to safeguard this, we had widened the scope of the word 'estate' and also brought in, as we did on an earlier occasion, some of the Acts challenged on the ground that they contarvene articles 19 and 14 in the 9th Schedule to give them protection because it is impossible to give protection to these Acts simply by reiterating again the general principles which we have already done. This is the position and we have discussed this matter threadbare and we took quite good care to examine each and every Act which we have brought in. Notes with regard to these Acts had been circulated sometime back. The principles of the land reform have to be enforced and these two purposes are to be achieved as quickly as possible. That is my submission.

**Mr. Speaker:** Motion moved:

> "That the Bill further to amend the Constitution of India be taken into consideration."

**Shri Kashi Ram Gupta:** Is it the 19th or 17th amendment? It is not clear. The Bill says it is the 19th but they have moved an amendment to say that it is the 17th.

**Mr. Speaker:** When that amendment comes, we will see to it. Is the amendment moved:

**Shri Yashpal Singh** (Kairana): Sir, I beg to move:

> "That the Bill be circulated for the purpose of eliciting opinion thereon by the 29th August, 1964."

**Mr. Speaker:** Both the motion and the amendment are now before the House.

**Shri Rane** (Buldana): What about the time for consideration stage of the Bill, Sir?

**Mr. Speaker:** Let us see how the debate proceeds. I think that we will have the devision towards the end of the day—about 4 O'clock or 4.30.

**Shri Ranga:** Even though the House had agreed to a time-limit, if he deems fit, the Speaker can extend the debate by at least one hour.

**Mr. Speaker:** Yes.

**Shri Ranga:** You will be good enough to give us one more hour.

**Mr. Speaker:** I assure him all the time he wants. I have received intimation that Mr. Masani is the only speaker from this Group. I will give him as much time as he likes.

**Shri Ranga:** It is not only one party; others also should be given enough time.

**Mr. Speaker:** I would not leave anybody aggrieved there.

**Shri M. R. Masani** (Rajkot): Mr. Speaker, I deeply deplore and regret the necessity of having to speak on this highly controversial measure on this day. I too had a hope that the Government would respond to the mood of the country and leave this matter over till the House meets again with a new Government and a new Prime Minister presenting his own policy both in regard to this measure and other measures that he may think necessary. I am very sorry that the appeals for dispassionate consideration which have been made today and earlier have gone unheeded by the Prime Minister of the moment and it, therefore, becomes a painful necessity to revive the controversies that were going on when tragedy descended on this House and on the country.

This amendment to the Constitution was rejected by this House only a month ago. That was the result of a large number of Members of the

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Congress Party 'dragging their feet' literally. Whether this was a conscious dragging of feet or it came from a sub-conscious antagonism to this measure which we know they share, I cannot venture to say; it is a mystery locked in the hearts of my hon friends over there. But the fact remains that not even a three-line whip was able to produce in this House 256 hon. Members, when the ruling party itself consists of 370. One of the newspapers commenting on that vote referred to it as a providential opportunity given to the gentlemen on the treasury benches to have a second look at this controversial measure. One newspaper, *The Hindu*, went further and referred to the tremendous sense of relief that had gone round the country at this providential escape. *The Hindu* of April, 30 said:

> "Millions of honest farmers all over the country will rejoice over the fact that temporarily at any rate this obnoxious measure has been snuffed out."

That was the general mood of the country when the Congress Party failed to persuade the House to accept this amendment.

Unfortunately, the hope that was expressed by enlightened organs of public opinion like *The Hindu* is now being snuffed out in turn by this kind of persistence in error that we see today. It seems that the damaged prestige of those party managers who failed on the last occasion must be restored at the cost of the country of about Rs. 5 lakhs. This measure was therefore, produced before us again on the 27th of last month.

This is an ill-omened measure. This inauspicious attempt came up against a bigger tragedy on the second occasion on the very day it was introduced. Here again, Providence seemed to have intervened to say "Halt! Don't take this step down the slippery slope to communism and chaos in this country." But like the Bourbons of the old, some people learn nothing and forget nothing, and this has happened. Another opportunity to take note of the widespread resistance of the peasants of our country has been again given up and rejected.

I heard the Law Minister this morning and on the 27th. He tried to make out that this measure was necessary in order to enable land reform to be carried out. He even went so far as to say that this measure was necessary in order to allow the tiller to own the land. Surely the Minister thinks very poorly of the collective intelligence of this House and he has really insulted it by talking like that. Is there any hon. Member in this House who would accept this cock and bull story? This is a measure to deprive the peasant of his land and not to give it to him. It may be suggested that this law to some extent is necessary to legalise the illegal and unlawful laws struck down by the supreme judiciary in our country, because ceilings have been brought into existence. That is not so. These laws were not struck down because they legalised ceilings. They were struck down because of the unconscionable attempt to expropriate those whose land was taken away.

There are other countries which have brought about legislation to restrict the size of farms even smaller than ours, but they have had the decency to pay full compensation and no court of law has ever thought of interfering. Let me take the example of Japan where the ceiling is about 2 acres of land, very much more drastic than ours. Of course, their land is superior to ours. Though the Japanese Government after the last war took away the surplus land in order to redistribute it, it paid full compensation to those whose land was taken away, unlike those laws which the Supreme Court here considered illegal and immoral.

Similarly, the Republic of China, which I had the pleasure of visiting only last year, has a ceiling of 7 acres per head, again perhaps more drastic than ours or about the same. For a family of 5, it has a ceiling of 35 acres of good land. Again, their land is superior to ours. But every farmer

whose land was taken away was paid full compensation. They invested the money that they got in rice mills . . .

**An Hon. Member:** China?

**Shri M. R. Masani:** I mean the Republic of China, the democratic China, not the communist one. I mean the Republic of China recognised by the United Nations. There people whose land was taken away were given full compensation. The result was that they established rice mills, processing industries, canning industries in the villages, the way Mahatma Gandhi wanted it for small industries. The result was that nobody was hurt and today Taiwan has the highest crop of rice per acre in any part of the world, and Japan comes second.

Therefore, it is not the ceilings that have necessitated this legislation. It is the desire to strike at the fundamental right to private property in land; that is the motive of this legislation. Let not the Law Ministry try to kid himself or the House by coming up with these lame excuses.

The schedule to the Bill includes measures which have nothing to do with land reforms. I shall give two examples. The first is the Gujarat Surviving Alienations Abolition Act of 1963. I would like the Law Minister to attend to this point. This Gujarat Act refers not to land or rights in land, but to cash allowances which certain very poor people in my constituency are receiving, because their land was taken away from them earlier. What is now sought to be taken away is the partial compensation for the land already taken away. Is it right that this Gujarat Surviving Alienations Act should form part of this Bill?

I would draw his attention to another measure. The Law Minister might look at the Mysore Village Offices Abolition Act of 1961. That Act does not give any right in land at all. It creates a right in village offices—village accountants and workers for the village. Why should the right to hold a village office be expropriated under this amendment? What has it to do with land reform? I am pointing out that this a very lame excuse and it has nothing to do with land reforms. There are measures here which have no relevance to land reform at all.

Then we come to the second feature of this measure—the definition of 'estate'. The Bill has a very peculiar clause—clause 2 (ii) on page 21 of the Bill. If any hon. Members take the trouble to look at it, they will find that it says:

> "(a) the expression "estate" shall in relation to any local area, have the same meaning as that expression or its local equivalent has in the existing law relating to land tenures in force in that area and shall also include—
>
> (i) any jagir, imam or muafi or other similar grant and in the States of Madras and Kerala, any janmam right;
>
> (ii) any land held under ryotwari settlement;
>
> (iii) any land held or let for purposes of agriculture or for purposes ancillary thereto, including waste land, forest land, land for pasture or sites of buildings and other structures occupied by cultivators of land, agricultural labourers and village artisans."

Therefore, it is perfectly clear that the classes that are attacked here are not the big feudal landlords, who no longer exist in our country, but cultivators of land, agricultural labourers and village artisans. These are the objects of the malice of the Act.

Why is the definition of 'estate' being perverted in this manner? No dictionary of the English language will agree that half an acre or two acres of land held by a cultivator is an estate. I do not think any dictionary of the English language, or even the American language for the matter of that, could possibly define it that way. Estate is a big farm, big

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property. Hundreds of acres of land is what an estate means. To say that the farmer with half an acre or one or two acres of land can be divested of it because he is a zamindar or an estate-owner is to distort both morality and language. The whole idea is 'give the dog a bad name and hang him'. Call a peasant proprietor a zamindar and then liquidate him. These are tactics worthy of an East European communist State; they are not worthy of this country, one of the leading democracies of the world. If this clause were carried through, it would leave the smaller farmer at the mercy of every official, every State Government, every future government of this country. We will be told: "But the Select Committee has made an amendment; only land over the ceiling limit can be expropriated; under the ceiling limit the land is guaranteed"—that is clause 2, sub-clause (1) of the present Bill. It says:

> "Provided further that where any law makes any provision for the acquisition by the State of any estate and where any land comprised therein is held by a person under his personal cultivation, it shall not be lawful for the State to acquire any portion of such land as is within the ceiling limit applicable to him under any law for the time being in force ....".

Now, mark the words "under any law for the time being in force". An attempt is being made to deceive the small peasant, to tell the small peasant: "Your land is safe because you have got only ten acres; this Constitution (Nineteenth Amendment) Bill will not apply to your land; you will get full market value; only the land of the wicked chap who has got 25, 30 or 40 acres above the ceiling will be expropriated". Sir, if I may say so, that is a wilfully misleading and false statement to make about the phrase "within the ceiling limit applicable to him under any law for the time being in force".

We are now in the year 1964. Supposing tomorrow in any part of India a State Government takes it into its head to lower the limit to ten acres; then all land over ten acres can be expropriated. Suppose after two more years they bring it still down to one acre or half an acre, what is the value of this so-called safeguard? It is purely illusory. It is meant to throw dust in the eyes of the small farmer. It is meant to carry the class war to the villages, in the same way as Stalin carried the class war to the villages when, with the help of the small peasants he tried to liquidate the Kulak and then the small peasants followed within a year or two. Therefore, this safeguard is completely illusory; it is worthless.

If the hon. Law Minister really means to guarantee land under the ceiling, let him accept the amendments of Dr. Singhvi over there or of Shri Kashi Ram Gupta, those amendments which lay down that the ceiling shall be the ceiling as of now, as of the date this law is enacted. If that amendment is accepted, I would at least agree that, immoral and expropriatory as the Bill is, contrary as it is to fundamental rights, at least the fundamental rights of the small farmers are not at the moment being impugned. But I understand that our Law Minister and the Government are not prepared to accept the amendment of Dr. Singhvi or Shri Kashi Ram Gupta. If they do not accept these amendments which lay down that the ceilings of today are the ceilings guaranteed, then I have every right to say that they are throwing dust in the eyes of the people, that their intentions are far from honourable and far from honest in so far as the small farmer is concerned.

Now, why is this being done? Why is this engine of oppression being created? Wolud it be wrong to suspect that it is the failure of the Nagpur Resolution for Joint Co-operative Farming on a voluntary basis that has impelled certain people to press for this amendment of the Constitution? Would we be wrong to think that

they are now fashioning the engine of coercion so that what was not achieved voluntarily in the last three or four years can now be achieved under the threat of what this amendment portends?

May I say you will remember that the Congress Resolution said that all the land in India would be co-operativised voluntarily in three years. Sir, you were not in the chair then but you were in the House, and I warned the House then, as also its sponsors, that not in three years or thirty years could they persuade the peasants of this country to part with their land for co-operative or collective farming, that the peasant would resist it because he loves his land. There is no instance in history where the peasant has handed over his land to Communist or Socialist co-operative or collective farms. Therefore, how do we know that this amendment is not being passed so that those who failed to organise co-operatives of land voluntarily will go to the poor farmer and say "Will you please sign this piece of paper saying that you will join the co-operative farm?" and when the poor peasant will say "No", as I am happy to say he has said "No" for the last four years, they will say: "Well, you are driving us to dispossess you of your farm; you will have to get out". And when the poor peasant, who does not even know that the Seventeenth Amendment exists, which unfortunately is the case today in many parts of our country, says "No, no, I will go to the court and get compensation", the officer will say "I am very sorry, but your Parliament has passed a law which says you may not go to a court of law any more; you will have to take one rupee in the place of one hundred rupees or one thousand rupees that we have awarded as your compensation". Faced with that, what would you do or I do, Sir, if you or I were the peasant? Would we not take the piece of paper and sign "I hereby voluntarily join the co-operative farm"? Would I be wrong then in saying that, contrary to the instincts and intentions of many of my hon. friends here who are dragooned to vote for the measure, this is a measure that only a Communist dictatorship would enact and no decent democrat will ever touch?

And why should any one want to collectivise land in India today? Do we not know the miserable failure of co-operative and collective farming in the countries that have tried it? Is not the Soviet Union today in the world market begging for grain? They are buying with solid gold ten million tons of grain and flour to feed their starving people. The Communist regime in China is in the market to buy grains from Australia and Canada because it has created famine in its country by taking the land away from the peasant. Why should any government in its senses want to take away the land from the peasant proprietor, the most productive kind of cultivator of the land, and give it over to the State farm where the yield drops?

**Shri J. B. Kripalani:** To whom is he talking? The Minister is not listening.

**Shri M. R. Masani:** My hon. friend says that the person who should be listening is not listening. Frankly, I doubt if I can make an appeal to the caretaker government any more. But I would certainly appeal to the conscience of the members of this House not to be mere voting machines. Are they really for this measure? I know they are not. But they have allowed themselves to be dragooned into voting, contrary to their own instincts shown by the very slow moving feet with which they voted last time. Lenin used to say that the Russian soldiers voted with their feet when they ran away from the German army. I would only ask whether the Congress Party members, who voted with their slow moving feet last time, are going to allow themselves to be coerced like the unfortunate farmer of the future.

Therefore, what this country needs is not expropriation. What this country needs is not collective or co-

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operative farming. What this country needs is the supply of good seeds, water and fertilizer to the peasant so that he can produce more from his land. What we want is sympathy and security for the farmer, not a Damocles' sword hanging over his head. I can think of nothing more unpatriotic and unserviceable for this country than this wretched Amendment.

It is not surprising that the Communist Party in this House is rooting to vote for this Amendment and support it. It is a Communist measure and the Communist Party of India is perfectly right and logical in voting for it, for pushing the Congress Party also into voting for it. But what have my hon. friends over there, who represent the peasants of India, members of the Congress Party to say to this? I appeal to them and ask them—and I see among them Ministers and former Ministers who have been very good champions of the farmer—what are they doing? What has happened to their voices? Do they not represent the peasants any more? Have I not the right to ask them: is this the way you serve your peasants by opening the door for a future Communist dictatorship to liquidate the peasants under the garb of co-operative farming? Therefore, despite the cynicism and scepticism of my respected and venerable friend over there, I feel this appeal has to be made and some day, if not today, I hope this appeal will echo in their hearts and in their minds.

Why do we say that this amendment is an unworthy one that should be rejected, quite apart from the merits of it? I will give five reasons why this amendment is unworthy of our acceptance. The first is this. Does this Lok Sabha feel that it is competent to pass this amendment? Does it really feel that it has any warrant to take away the land of our peasants? Has it got the mandate for this? Let me remind the Law Minister that it was before the last General Elections of 1962 that the provocation for this amendment arose, because it was before the 1962 elections that the court struck down the first of these immoral and illegal laws. Why was it not made an item in the Congress election manifesto of 1962? Why did the Congress Party not have the guts to put into their election manifesto the clause. . . .

**Shri A. K. Sen:** Land reform was made a manifesto.

**Shri Ranga:** Land reform does not mean this. Open your dictionary.

**Shri M. R. Masani:** I might repeat my question. The first of these immoral ceiling laws which expropriated the peasant was passed and challenged in the Supreme Court before the 1962 election. This can be verified. Why did not the Congress Party then say in order to overrule these reactionary judges, "We, the great progressives of India, will now bring a law by which the farm of the smallest farmer can be taken away from him without compensation at market rates"? Why did they evade that challenge? Why did they hide their evil motives and intentions from the electorate? Why did they get the support of the electorate and then come here and within a few months—let me remind this House; they were elected in February-March and in May they introduced this amendment—within two months of the General Elections this law, which was not contemplated in the manifesto was presented to us? If I may say so, it was a dodge and a trick unworthy of a democratic government. So, they have got no mandate today to proceed with this law.

Then, look at the provisions of the Constitution. The law says that a change in the Constitution is to be passed by the majority of the total membership of the House and by a majority of no less than two-thirds of the Members present and voting. What is the intention of this provision in our Constitution? Is it for a snap majority to carry something? Is it for a bare majority to oppress a minority? Would you think that a 55 per cent majority can oppress a 45 per cent

minority by amending the Constitution? The intention is very clear. The intention is that there should be a censensus. There should be something like two-thirds of the electorate backing a measure before it could be passed into law. Is there such a majority? The 70 per cent of the Members of the House who occupy the Government benches do not represent even a bare majority of our electorate. The whole lot of them represent only 44.72 per cent of the electorate that went to the polls in 1962. Are they making a conscionable or unconscionable use of this fake, bogus majority—of the accident of an imperfect electoral system?

Did the framers of our Constitution—I was one of them—have it in their mind that a minority of the electorate could amend the Constitution to the detriment of the majority because 52 per cent of the Indian people own some land—and 52 per cent of the Indian people are being hit and victimised by this amendment? Was this the intention of the Constitution that a party that polled less than 45 per cent of the votes should use its inflated majority here to pretend that they are two-thirds of the electorate?

**Shri Nambiar** (Tiruchirapalli): If an amendment is to be made, what is the way out?

**Shri M. R. Masani:** They way out is to go to the country. That is the democratic way that I commend to my hon. friend.

Therefore I do not think that this Lok Sabha is morally competent to pass this law. It has neither the mandate nor the required majority of the people behind it. There is no consensus that article 368 of the Constitution requires. They may today misuse their artificial majority, but they will have to pay for it later when they go to the electorate because, on behalf of my Party I make this statement that we shall make the repeal of this amendment one of the issues in our manifesto in 1967 and force them to face the issue that they have so successfully dodged in 1962. Therefore while technically the House would be entitled and you, Sir, would be helpless to stop this violation of the spirit of our Constitution, we do not concede that this House has a moral right to pass this legislation. We shall then remember what Gandhiji used to say—that the only thing to do with an unjust and lawless law was to break it. If, as I expect, the peasants of India will resist the implementation of this legislation, we shall stand with the peasants of India because we do not accept the verdict of this Parliament. This is my first reason for saying that this is not a good law to pass.

My second reason is that this amendment shows disrespect for the Judiciary. This amendment is an attempt to undo the justice that the courts of law have given. When the highest tribunal in our land has declared that it is immoral and unconstitutional, now we are trying to change the rules of the game. We have lost the game; so we go and cheat. We change the rules so that what was unlawful and unconstitutional now becomes constitutional. That has, unfortunately, been the practice of this Government. I am hoping that the successor government will be a little more conscionable on this point. But this Government has certainly shown consistent disrespect for the courts. That is the tradition that they have been following.

My last and most strong ground for saying that this is a measure the Parliament should not accept is that it represents a cold blooded breach of faith with this Parliament and the country. In 1951 when the First Amendment to the Constitution was being introduced and debated, my hon. friend's predecessor as Law Minister, Dr. Ambedkar, one of the framers of the Constitution, answered the debate.

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He said on 1st June, 1951 something that I want to recall to my hon. friend opposite, to you and, through you, to the President of this country, our highest safeguard. I would like the Law Minister to listen to these words of his predecessor.

**Shri A. K. Sen:** I have got them.

**Shri M. R. Masani:** I am sorry then that, in spite of having them, he was chosen to get up this morning and do what he is doing.

This is what Dr. Ambedkar said:—

". . . I would like to say this, that there is no intention on the part of Government"

the same Government—

"that the provisions contained in article 31A are to be employed for the purpose of dispossessing *ryotwari* tenants."

He went on to say:—

"If my friend, Ch. Ranbir Singh,"

I think, he was a Member of the ruling party who had the gumption and the guts to stand up and oppose this.

"If my friend, Ch. Ranbir Singh, would refer to the proviso attached to article 31A which requires that every such Bill shall be reserved for the consideration of the President, I think he will see that there is a certain amount of safeguard in it".

What is that safeguard?

"I believe that whenever any such measure comes before the President for consideration",

said Dr. Ambedkar,

"The undertaking given in this House would be binding upon the President in giving his sanction so far as any such measure is concerned. Therefore, I submit there is no ground for any fear of any such thing happening and, I believe that there is also no justification for any kind of propaganda that may be carried on by interested parties that this Bill proposes to give power to Government to expropriate everybody including the *ryotwari* tenants."

That sad day that Dr. Ambedkar thought would not come has arrived. He could not imagine that the Government of which he was a member was going to sink so low. He could not imagine that a pledge given in all solemnity in this House invoking the President's intervention was to be so cynically set aside by his successor.

If necessary, we shall appeal to the President to carry out the function that Dr. Ambedkar assigned to him. We shall appeal to him to desist from giving his assent to this measure because he has been made the arbiter of that promise. That assurance has been consigned to him for respect and I would like to hope that the President would not fail in his duty by turning his back on the function that has been allotted to him by the Law Minister who himself introduced that Bill.

The final and most conclusive answer to this measure is that this is a breach of faith with Parliament and the people. The least the President could do in these circumstances should be to withhold his assent and get my hon. friends opposite to put it in their next election manifesto and go to the country and get the mandate of the country. Then, at least, that pledge could be absolved because the people would like to change their mind; but a government in a democracy have no right to break their promises. It is not only this law. If you want to set up traditions for this young democracy of ours, it is a very poor way of setting precedents that they may break an assurance today and others may break tomorrow. When a government gives a solemn pledge in this House, let at least that government respect it; they may not bind

their successors, but they can certainly bind themselves. Therefore I deplore the fact that this House is being asked today to stultify itself, to violate the solemn assurance given to it by the Minister of the day, and that his successor should be allowed to get away with it.

**13 hrs.**

The Party to which I belong was founded in 1959 for the specific purpose of protecting the peasant and his land. It was the Nagpur Resolution, with its evil intent of collective farming on Communist lines in this country which created and gave birth to my Party. For the last four years we have encouraged the peasant to resist joint cooperative farming and we have succeeded. It has been a dismal failure. The peasant has just refused to touch it. I believe the peasant will continue to refuse to touch it contrary to Communist thesis. The Communists regard the peasant as a class enemy. They regard the peasant as an obstruction to the totalitarian dictatorship that they wish to establish. And they are right. (*Interruption*). They consider him a class enemy. There is a book written by David Mitrany named: "Marx Versus the peasant." Marx was right. You cannot have a party dictatorship, a totalitarian dictatorship, if the peasant survives. So long as a man can say: "This land is mine," society is free. There is the possibility of opposition; there is the possibility of difference of opinion. The day the peasant class is uprooted and herded into cooperative and collective farms, this Constitution may remain but there will be no life in it. We shall be heading straight for a communist totalitarian dictatorship.

Contrary to the thesis, we hold that the small landed farmer is the backbone of a free society. There is nothing to preserve if you have landless labourers on a cooperative or a collective farm. The peasant loves his land. He has not been found to give it up without a fight. If this House in its collective wisdom decides to pass this Bill and the President cannot save the country by refusing to give his assent to it, then only the peasant will be able to save himself and the country. I think he will do so. I do not think the peasant is going to be coerced to give assent to this amendment of the Constitution by parting with his land.

I want to warn the Government benches opposite that if any attempt is made to implement this Bill, if they try to implement it, they will come up against the resistance of the peasant. They will drag the country to chaos and famine. But they will not be allowed to get away with it. They may change the law but they are not going to change what goes on in the hearts of the people. What is in the heart of the people is the love for this little piece of land that they have inherited from their forefathers and they want to keep for their children. Therefore, I can only caution this Government: Keep your hands off the land of the peasant; do not try to implement this Amendment of the Constitution. And if you do, I can only say that we of this Party will stand by the peasant in resisting this immoral law.

**Shri A. K. Gopalan** (Kesergod): Mr. Speaker, Sir, while supporting this measure, we support it with certain reservations. We also protest against what has been done by the Joint Committee which had been discussing this Bill. It is said that this is a contradictory measure. Certainly, it is a contradictory measure because as long as there are contradictions in society, as long as there are contradictions, like, the landlord, the small peasant and the agricultural labour, as long as there are these contradictions, certainly the measure also will be a contradictory measure.

The question now is: Do you support progress or reaction? Do you support socialism or do you oppose it? So, those who support progress will certainly have to support this measure and those who do not support pro-

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gress and those who do not want progress and those who do not support socialism will certainly have to oppose this measure. First of all, I want to say that the Marxism that I have learnt is not the same that has been explained here by my friend Mr. Masani. He had been my leader in the Congress Socialist Party and the Marxism that he has learnt was such that he had to go to the Swatantra Party and the Marxism that I have learnt has driven me to the Communist Party. That is the difference between his Marxism and my Marxism.

**Shri M. R. Masani:** Poor you.

**Shri A. K. Gopalan:** I am a Member of this House . . .

**Mr. Speaker:** Are they two schools or only interpretations?

**Shri A. K. Gopalan:** No; it is interpretation of Marxism. As far as the interpretation is concerned, his Marxism leads to the support of the Swatantra Party. So, the contradiction is between the vested interest and the toiling masses in this country. This land reforms legislation is necessitated because there is this contradiction. Just now he said that the peasant is a class enemy. It may be according to him but according to us the peasant is not a class enemy. It is the landlord, the zamindar and those who hold thousands and thousands of acres of land that are the class enemy of the poor peasant and the agricultural labourer. A man who holds enough land, whether it is 5 acres or 10 acres which is enough for his livelihood, is not considered by us as a class enemy. The question is: Does this legislation with whatever Acts that have been put in the Ninth Schedule help it? As far as these Acts which are put in the Ninth Schedule are concerned, we do not say that all those Acts are such that they give some relief to the peasants or agricultural labourers. We do not say so. We say, there are so many loopholes in all these measures. It was because the Kerala Agrarian Relations Act had been passed and it was because the Supreme Court intervened and invalidated that Act that this Seventeenth Amendment to the Constitution was brought forward. Now, instead of putting the Kerala Agrarian Relations Act there, it was the Kerala Land Reforms Act that had been placed there. So, what I want to say is that as far as this legislation is concerned, we support it because whatever Acts are placed there in the Ninth Schedule, those Acts passed by the State Governments, will certainly not be questioned. Whatever little relief is there to peasants and others, they will be able to get that relief. So, that is one reason why we support this measure.

While supporting it, I want only to point out what are the reservations and why I oppose certain things. You know, Sir, that the Kerala Agrarian Relations Act was passed by the Communist Government. It had been sent to the President. The President examined it for about 2 years. The Planning Commission also examined it and it was after that that the Kerala Agrarian Relations Act had been sent back to the State and it had also been implemented. While the Kerala Agrarian Relations Act was being implemented, the landlords went to the court and it was said that some of the provisions of the Kerala Agrarian Relations Act did not come within the purview of article 31A of the Constitution and that was the reason why these changes were necessitated. But what about the Kerala Agrarian Relations Act? Is it there in the Bill today as it is today? It is not there. Why was it that the Kerala Agrarian Relations Act was taken away and a new Bill, the Kerala Land Reforms Act, had been introduced there? Why did the Central Government and the Planning Commission allow it? I say, it is an insult to the Parliament that the Joint Committee were discussing a Bill which had been approved by the Government and the Planning Commission and the President. The

court had invalidated it. Even before the Joint Committee had finished its consideration, the Kerala Government which was opposed to the Kerala Agrarian Relations Act passed a new Bill. That is where I differ. My friend Mr. Masani said that land reform does not mean this. I say, land reform does not mean this because the provisions of the Kerala Agrarian Relations Act that had been passed which gave a reduction of rent, made the ceiling in such a way that there will be some land available after the ceiling and gave a reasonable compensation—all these provisions were there which gave relief to the small peasants as well as kudiyiruppukars, the homesteads for the landless labourers—were taken away. Instead of the Kerala Agrarian Relations Act, the Kerala Land Reforms Act was placed. That is what we objected to and we very strongly protested against it. If the State Governments say that the Kerala Agrarian Relations Act is defective and there are loopholes in that, then certainly the Kerala Government has got the right to remove the loopholes and remove the defects and make it perfect. But they wanted to change it because there was pressure from the landlords, and the Central Government as well as the Planning Commission yielded to the pressure of the landlords and the Kerala Government passed a new legislation hurriedly and got the assent of the President. And that legislation has been put into this Ninth Schedule instead of the Kerala Agrarian Relations Act.

I want to know what are the cardinal features of land reform? What are the tests to prove that the land reform is really a land reform?

Does it produce substantial reduction of rents from their current levels so as to facilitate more rapid improvement in the economic conditions of tenants? Does it transform tenants into owners of the land they till while putting an end to the vestiges of landlord-tenant relations? Does it invest the tenants with absolute security of tenure and inhibit resumption of holdings? Is there effective ceiling enforced in regard to agricultural holdings and is there a capable machinery by which the ceiling can be imposed and implemented and by which the surplus land will be utilized for the purpose of resettling ejected tenants and landless labourers? Are there sufficient safeguards of preventing large landholders evading the law by selling the land in the guise of gifts, transfers and partitions as had been done in many places? Is there any loophole by which they can do it? As far as homesteads are concerned, certain people may live there. Is there any protection for them, or will they be evicted?

These are the tests of a real land-reform legislation which is in the interests of the peasantry as well as those who have no land.

As far as the ceiling is concerned you will see in the Kerala Land Reforms Act that pepper and areca gardens extending over thousands of acres have been excluded, from the purview of the ceiling that had been put in there. The agricultural companies which were included in the earlier law are kept out of the ceiling provisions in the new Land Reforms Act. Then there is also a general power kept by Government—power to exempt any land from the ceiling provisions on account of any special use to which it may be put or for converting it into plantations or for expansion of existing plantations. So, these lands also do not come under the ceiling provisions What is the use of putting such a provision of ceiling in the Bill? That only means that there will be no land under ceiling if all these provisions are there.

As far as reduction of rent is concerned, there is a substantial difference between the two Acts. Under the Kerala Land Reforms Act there has even been an increase in the rent. As far as Malabar is concerned, the

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Malabar Tenancy Act gives the tenants certain rights. For instance, that Act provided that by means of irrigation and hard labour if there is an increase in the production, it should not be included in arriving at fair rent. By increase in production, it does not mean that the fair rent is also increased. This advantage which the Malabar Tenancy Act gives to the tenants is now taken away.

I do not want to take more time of the House. In brief, whether it is the question of reduction of rent, or ceiling, or the tenant's chances of becoming the owner of the land—the Kerala Land Reforms Act takes away the rights of tenants. All these rights were provided for in the Kerala Agrarian Relations Act. I should say that this is a betrayal of peasants in Kerala, especially those in Malabar. Why did the Central Government and the Planning Commission give this advice to the State Government? This only shows, rather exposes, the lack of sincerity of the Government in implementing the land-reform legislation in the interests of the peasantry and in the interests of those sections of the peasants who have no land and who have only small lands and who want to cultivate and improve the production. The Land Reforms Act is not in the interests of peasants, but in the interests of the big land-lords in this country, because it takes away all the rights given to the tenants by the Kerala Agrarian Relations Act in respect of ceiling, reduction of rent and reasonable compensation. This is not the land reform explained in the First and Second Five Year Plans. Instead of giving more and more relief to the tenants, a Government which says that they are marching towards socialism is taking away even the small rights that had been given to the peasants by a legislation that had been enacted not only by the Communist Government, but also by the Coalition Party Government. They passed it, the President looked into it carefully and it was also approved by the Planning Commission. Many persons have gone to the Court for reduction of rent and there are so many thousands of petitions. They have spent lakhs of rupees. This Land Reforms Act not only takes away the rights conferred by the Kerala Agrarian Relations Act, but also those rights conferred by the Malabar Tenancy Act, by the British Government. While strongly protesting for not including the Kerala Agrarian Relations Act in the Ninth Schedule, we support this Bill because whatever little benefit given to the tenants is welcome to us and here at least the landlords cannot go to the court.

One sentence more. As far as we are concerned we also oppose the deletion of the various other Acts of the States which were included in the amending Bill referred to the Joint Committee. It is said that they are not there because till now no High Court or Supreme Court has questioned them. But what about the future? Suppose some landlords take them to court. There is no reason why all those Acts should not have been here because that will safeguard the interests of the peasants. Subject to these reservations, we support the Bill as amended by the Joint Committee.

**Mr. Speaker:** In view of what happened last time, if the House agrees, we might fix some time for the discussion so that there might not be any difficulty. Government have agreed to three hours. Shri Ranga, Leader of the Swatantra Group, asked me whether I could extend it to five hours. If I extend it by one hour, that makes it four. In that case, we have to divide the time for general discussion, clause-by-clause discussion and for third reading also if it is possible.

**Shri Ranga:** I was not thinking of all these. Division alone will take half an hour . . .

**Mr. Speaker:** The information I got from the Whip was that Shri Masani was the only speaker. Now I have got another name and I am going to accommodate him also.

**Shri Ranga:** We are not the only people who want to speak. There are others also. For instance, the Jan Sangh people are also opposed and they also want to speak.

**Mr. Speaker:** I am giving them also time. I am not stifling discussion. I would give them also time.

**Shri Ranga:** Can you not extend it further?

**Mr. Speaker:** Even if we have 4 hours, then too, we have to divide the time as between the general discussion and the clause-by-clause consideration. I think we may have 3 hours for the general discussion and 1½ hours for the clauses. I think that that would suffice.

**Shri Ranga:** I suppose there will be time for the third reading also.

**Mr. Speaker:** So, I shall be calling the hon. Minister at 3·15 p.m. Or shall I call him at 3·30 p.m.?

**Shri Nambiar:** The actual division will be at 4 p.m.?

**Mr. Speaker:** The division would take place at 4 p.m.

**Shri Nambiar:** The time for the division may be announced now so that we might not repeat the trouble that was there the other day. Let the division take place at 4 p.m.

**Shri Ranga:** My hon. friend has constituted himself as the chief whip of the Government.

**Shri Nambiar:** No. We are interested in this Bill.

**Shri P. G. Sen** (Purnea): Let the division be held at 3.45 p.m.

**Mr. Speaker:** All right. If the division is to take place at 3.45 p.m., I shall call the hon. Minister at 3.30 p.m.

**Shri Ranga:** I hope there would be sufficient time for the third reading.

**Mr. Speaker:** I shall give the hon. Member time during the third reading.

**Dr. B. N. Singh** (Hazaribagh): Shri Ranga would like to speak only during the third reading. So, will there be any time for me to speak now?

**Shri N. C. Chatterjee** (Burdwan): I have been a persistent critic of the First Amendment and the Fourth Amendment to the Constitution which were introduced in this House. But I have given a good deal of thought to this measure and I think that a good deal of the opposition is based on a misconception.

I am absolutely sure that when the Supreme Court has struck down a measure as being a fraud on the Constitution and when it has declared that a particular enactment is beyond legislative competence, it cannot be validated by a simple incorporation of it in the Ninth Schedule. Incorporation in the Ninth Schedule would mean that it cannot be attacked on the ground of violation of fundamental rights. But if there is inherent lack of legislative competence, then it is perfectly clear that no amount of incorporation in the Schedule to the Constitution will validate an enactment which is void.

**Dr. L. M. Singhvi** (Jodhpur): That is what is sought to be done.

**Shri N. C. Chatterjee:** As a matter of fact, I had the privilege to point out before the Joint Committee itself, in another capacity, that it could not be done.

As you know, Sir, legislative competence is one thing. When a particular Bill is within a particular legislative domain, that is, it operates on a legislative field, then it is a valid Bill, but that Bill may be struck down owing to our peculiar provision in the Constitution in article 13, that is, if it is repugnant to any of the fundamental rights. As regards fundamental rights, we have consciously made

[Shri N. C. Chatterjee.]

a departure from the other Constitutions. We have laid down that any legislation which is enacted repugnant to or in abridgment of the fundamental rights may be struck down as void. Therefore, incorporation in the Ninth Schedule will mean this that a challenge for invalidity on the ground of being repugnant to fundamental rights is no longer open, but that cannot validate a void Bill. It cannot cure the initial defect.

Take, for instance, the Gujarat Talukdars Act. What did the Supreme Court say? The Supreme Court said that it was a fraud on the Constitution. Why? They said so because under that Act, under the garb of agrarian reform, Government were really confiscating private property; it constituted under the law a debtor into a creditor. Suppose X has to pay Rs. 5,000 to the tenant or to Y. The Supreme Court says that when legislation has made X a creditor to Y for Rs. 5,000, you cannot take away that Rs. 5,000 or forfeit that under the garb of agrarian reform, and therefore, they have declared it void. I would submit that that kind of legislation cannot be validated, because that would be again another fraud which would be practised on the Constitution.

**The Deputy Minister in the Ministry of Law (Shri Bibudhendra Misra):** That is not being validated.

**Dr. L. M. Singhvi:** There is legislation of that class which is being validated.

**Shri Bibudhendra Misra:** The particular legislation to which Shri N. C. Chatterjee has referred is not being validated. The Joint Committee considered it and have taken that out; it is not there in the Schedule now.

**Shri N. C. Chatterjee:** I am glad that the Deputy Minister is pointing that out. But there are other pieces of legislation of a similar nature . . .

**Shri Ranga:** As, for instance, the Madras land ceilings Act.

**Shri N. C. Chatterjee:**..... and they should also be subjected to the same criticism as I have brought forward.

When we fought for political freedom, we also said that political freedom would be useless unless we got also economic freedom. You know, Sir, that the role of property has changed from time to time. In the ancient days, the village community really was the owner of the property. In Hindu jurisprudence property was more or less a co-operative effort; the Hindu coparcenary was the owner, and individual ownership was relegated to the background. When the feudal age came, the feudal power had this property and they had most of the land. When the new economic system has followed, we find that in the interests of the common man, it has got to be regulated; property cannot only have one individual aspect, but it must be subjected to social control.

Following other Constitutions, we have also subjected property including land to three things, taxation, eminent domain and also other things. Naturally, it has got to be regulated in social interest.

Here, I may point out that there is a certain amount of misconception about the Kerala legislation. What the Supreme Court pointed out was this. As you know, the old definition of the term 'estate' was that the term 'estate' would mean that which was contained in the relevant agrarian law. The old Madras agrarian law did not cover any ryotwari lands. After the reorganisation of States, some portion of Madras went over to Kerala. When that portion of Madras came over to Kerala, the ceiling legislation became ineffective there, because the old Kerala conception could not be operated in the area that had come over from Madras. The Supreme Court pointed out that as the definition stood, it could not be operative and therefore, they struck it down. I do not think that there is

anything improper on the part of the Government in regularising that position. The Supreme Court never said that it was a fraud on the Constitution. The Supreme Court only pointed out that the Kerala legislation was ineffective because of the definition as it stood then.

What the present Bill seeks to do is to enlarge the definition of the term 'estate' to include any land held under ryotwari settlement.

If I were convinced that what Shri M. R. Masani has said is correct that there is an insidious attempt for the purpose of confiscating ryotwari land, for the purpose of generally expropriating the ryots of their ryotwari property, then I would have supported him. I do not think that there is any such mischievous or insidious attempt. I think that Government are justified in making this amendment in order to deal with the point which has been made by the Supreme Court. The Supreme Court said that as the legislation stood, there was a ceiling, but that could not be operative in a particular area, because the concept of 'estate' was different. Therefore, they said that unless that concept was modified, or unless that definition of 'estate' was modified, it could not be operative. It is only fair that that point should be met by a suitable amendment.

**13.28 hrs.**

[MR. DEPUTY-SPEAKER *in the Chair*]

I may also point out that the new amendment which has been made or proposed to clause (1) of article 31A is also very effective. I think, you, Sir, presided over the Joint Committee, and in your report you have said that the following provision has been made in the Bill, namely:

> "Provided further that where any law makes any provision for the acquisition by the State of any estate and where any land comprised therein is held by a person under his personal cultivation, it shall not be lawful for the State to acquire any portion of such land as is within the ceiling limit applicable to him under any law for the time being in force or any building or structure standing thereon or appurtenant thereto unless the law relating to the acquisition of such land, building or structure, provides for payment of compensation at a rate which shall not be less than the market value thereof.".

This introduces a very salutary safeguard. I congratulate the Select Committee on having introduced it, and that makes the Bill much less offensive than what it was otherwise. I am therefore submitting that with this provision there should not be any serious opposition to this Bill, . . .

**Shri Ranga:** Question.

**Shri N. C. Chatterjee:** . . . or any fundamental opposition to this Bill, but I would certainly support Dr. Singhvi's amendment, because there is still a loophole in the proviso as the Select Committee has drafted. It says :

> " . . . it shall not be lawful for the State to acquire any portion of such land as is within the ceiling limit applicable to him under any law for the time being in force . . . ."

Therefore, this is left somewhat vague, somewhat indefinite, somewhat elastic. Therefore, I am submitting that it would be much better if the hon. Minister accepts Dr. Singhvi's amendment and makes it clear that that ceiling means the ceiling which is now prescribed, which is reasonable, which is objectively known. That amendment should be accepted so as to make it more conformable to reason and justice.

**Shri U. M. Trivedi:** The Bill before the House is the same as that which had emerged from the Select Committee as the Seventeenth Amendment Bill.

It is high time that we considered the trend in the various countries about these so-called land reforms. What was true about land reforms 25 years ago, with the ideas that passed through the communist countries, is not true today. Some of the observations and some of the fundamentals which were laid down by the communist parties in those days have not come true, and they are also taking stock of the situation as to whether or not they should agree to this method of dividing the land further and further and having collective farming. It is in the terms of these views that were propounded in the beginning of this century that things started taking shape, and we also fell a victim to it. A zeal was energised that we should have these land reforms. The shape the land reforms took was that the intermediary must go. Probably none of us felt any qualms of conscience about the intermediaries going, and I do not think the intermediaries themselves also felt that they had any case to fight so far as their abolition was concerned. It was smooth sailing so far as zamindari and jagirdari abolition was concerned. Here and there there have been some technical objections, but ultimately these things did go out.

But when the first amendment came in 1951 when article 31A was being introduced, very few thought that the ultimate idea behind this backdoor policy was to do away even with the ryotwari system. Except for some few holders who may be described as very big holders, and who might take advantage of the position of law as it exists, the ryotwari system ordinarily means peasant proprietorship. If it is peasant proprietorship, I see absolutely no reason why interference with that system is brought about.

It is true—it has come to my notice also, my party has brought it to my notice—that in some parts of Andhra Pradesh and Madras there are some persons who are more or less like zamindars, although they are classified as ryots, but law is never meant and made for the few. Evils do exist in all parts of the world, but law is not meant just to remedy those small evils existing in every corner. The evil has to be done away with where it shows something of an atrocious nature against the whole country or whole society.

We generally wiped out the zamindari, jagirdari and inamdari systems and all these systems where the intermediaries were very big and who were only exploiting the people. We have done away with them. However, when this Bill came for discussion, you very well remember that we agreed, we felt, that we should not do anything whereby even whatever ceiling has been fixed will be done away with, and that is why this proviso was introduced. But I find, and I do feel, that when we are making this law, we are taking stock only of the present, we are not looking to the future at all. I warn the Government, and I warn my hon. friends also who are very enthusiastic about this matter, that not having provided for the complete destruction of Hindu society, this law will do no good.

I know that there is a move in the Congress Party, and for the last 17 years great harm has been done to the Hindu community as such. Its destruction is the only object in view of the Congress Party, and in trying to do that, it has adopted various measures. You must have this picture clearly that the coparcenary would be done away with under all circumstances, that the rule of primo geniture alone will obtain in our country, that the eldest son will be the only son who will inherit his father's property, the ceiling of five or 30 acres of land, whatever has been fixed. If a man has five sons, and the ceiling is only 30 acres, how each of them will

get a fair share passes my comprehension. Today it may look good, but it will not look good ten years hence, it will not look good or reasonable after 15 years, unless you make sure that the Hindu way of life is wrong.

Coparcenary was the best social arrangement that could ever have been evolved in this world. The socialistic pattern of Hindu society was never studied, and has never been properly appreciated so far. Our cry has been in the wilderness, and those who have now been trained during the last 15 or 20 years and received their education reading Marx and such other things, have lost sight of the fundamentals of socialism, and they come round only to this purposeless following of Marxism, which had absolutely no conception of Hindu society or how Hindu socialism worked, and come to a conclusion about destruction of the whole society by way of destroying private property.

What is the object in view. Every one, even Government offices today, have started talking with one voice, that the land belongs to Government. I say that was never the conception in India. Land never belonged to the Government. It belonged to the peasants, and it should be the conception that should be before this Government also, that whatever be their view, land must belong to the peasant, must be his property, and should be respected, kept sacrosanct so far as possession is concerned. And it is then only that incentive can be granted, and on that incentive the peasant can work and work to the advantage of the country. Once that incentive is taken away and you make him a serf, a slave, this slave will never make the country prosperous. If that is the object in view, I raise a finger of warning: please do cry a halt. Let us consider what you are aiming at. Is it land reform that you are aiming at or expropriation, is it destruction of Hindu society or you want land reforms for one and all? What type of land reforms do you want? Item 49 in the schedule refers to Mysore Village Offices Abolition Act of 1961. What has it to do with land reforms? I do not know how this crept into the picture. At the Committee stage, we wanted to strike down any piece of colourable legislation. Yet there was not enough time; there could not have been sufficient time to study all the 144 Acts in that schedule. Bargaining here and talking there and listening here, it was not possible to study all the 144 Acts that were there. Much less is it possible to study all the 64 Acts which are in the Schedule.

Item No. 49 in the Schedule refers to the Mysore Village Offices Abolition Act. I have studied a part of it. The case is now before the Supreme Court. It is true that our Constitution provides that a man shall not be entitled to an office by virtue of his birth. I also agree with it. I am not standing in the way of such a provision. But why do we want to make a law that the Fundamental Rights shall not apply to all these 12,000 persons who are accountants today. You need not give their jobs to their sons but why make a law depriving 12,000 people of their posts by putting such a law in the Schedule. It passes my comprehension. What type of land reform is this—taking away the job of 12,000 persons? Is it land reforms of making unemployment on a larger scale? The hon. Law Minister is absent but I hope his Deputy will look into this and convey the sense of the House that this is not one of the laws which should be embodied in this Bill. Why deprive a man of the right to hold his job? Why deprive the present holder of a job? This could not have been the object in view: yet it has been shoved in. The matter is before the Supreme Court today and it will be coming up for hearing. Such a law is illegal and you cannot make this law. Similarly, attention can be drawn to the

[Shri U. M. Trivedi.]

Gujarat Surviving Alienations Abolition Act. What has that to do with land reform? It only shows that the Government is miserly and wants to take way by the left hand what it has given by the right hand. Cash grants have been provided by law and cash is to be paid. Where is the question of land reforms? In what way does it stand against your agrarian reforms? Similarly, you may decide not to pay pensions to the pensioners. Tomorrow we can come out with a law that the Government employees who were sanctioned pension shall not get their pensions. But will it be agrarian reform?

We had had enough of these things. A time has come when we must take stock of the situation. In 14 years, we have 17 amendments, amendments after amendments are being put in the Constitution. Those who studied the Constitution in our younger days, in 1950, when the Constitution was made, find that it is not the same Constitution which we have studied. We do not know what particular Acts or articles remain. The only Fundamental Right that exists today is for the Government under article 22 to put persons behind the bars. That right exists for the Government. No other right exists for the people. Article 25 goes by the board by various circumscribed methods. Article 13 does not work; people are deprived of articles 14, 15 and 19 and they are left in the lurch. We talk of Fundamental Rights which have now become a mirage. Various types of progress has been made in different countries and various experiments are being conducted whether such type of legislation is to be brought in. We know that the Communist Party is wedded to one track; it has got a one-track mind. It will talk only of land reforms. Land reforms mean for them depriving people of their jobs, of their money and of their property. They are all big vedantists and they will say: Yours is mine. It is a great vedanta philosophy and let them have that philosophy; philosophy is philosophy. We have to come to brasstacks and live in the world. We have already made a provision in clause 2 by virtue of which the property of a person which is within the ceiling will not be taken away except by paying him just and proper compensation according to the market rate. To that extent it is an improvement. There are those who do not want even this little landholder to be granted this. However, this is not sufficient. Government must take stock of the sentiments of the people at large. It should take to backdoor methods to take away the job of 12,000 accountants of Karnataka and should not be harsh to about 5,000 cash grant holders of Gujarat.

**श्री हकम चन्द कछवाय** (देवास) : उपाध्यक्ष महोदय, मैं यह जानना चाहता हूं कि यह हाउस देश की सेवा के लिये है या सदस्यों के सोने के लिये है। इस समय हाउस के बहुत से सदस्य सो रहे हैं। क्या हाउस के अन्दर सोना जायज है।

**Mr. Deputy-Speaker:** Order, order.

**Dr. L. M. Singhvi:** Mr. Deputy-Speaker, we meet under the shadow of a tragic national loss. The calamity has benumbed us and left us deeply in distress. If I may, however, be permitted to observe a silver lining in this cloud of grief which has stricken us, I must say that this ill-fated legislation has also been a source of consolation to us inasmuch as it has done a good turn in securing our presence at this juncture when our beloved Pandit Jawaharlal Nehru left us breaved and disconsolate. Before I comment on some of the principles involved in this piece of legislation before us, I should like to observe that the Select Committee has certainly succeeded in performing a remarkable operation on the Bill as originally introduced. As originally introduced, the Bill was a juristic anathema. To a certain extent, the Select Committee has been able to shape it in consonance with the precepts of law that we have enunciated in our political set-up. At the same time, I should also

like to pay a compliment to the Law Minister who accepted certain changes and alterations at the stage of the Select Committee.

But the root of the problem goes, in my humble submission, to the process and machinery for initiating legislation in our country. If I may say so, the brief with which the Government was sought to be armed by the Planning Commission is a very poor brief indeed. At no stage does it show that there was a proper and detailed consideration of the implications of this measure. The inference is irresistible that the Parliament is being made to comply with the behests of the Planning Commission and the State Governments. This does not carry conviction, particularly because there has been no methodical survey of our land resources and their utilisation in the country. This does not carry conviction because neither the Planning Commission nor the Government have been able successfully to outline the problem that confronts us and to impress upon us the adequacy of the solution that they have proposed.

This piece of legislation is a clear confession of the manner in which the Government have been grouping for achieving certain change in our land system. I would not be prepared to call this a process of substantial land reform or the beginning of land reorganisation I think much of the thinking of the Planning Commission and the Government has been embedded in this respect in economic orthodoxy and in a dogma which does not justify itself by the realities of the situation before us. This is born out by the few preliminary studies that have been made even by the Planning Commission itself. We know that so far it has not been possible to promote a progressive and growing agriculture in this country and I am quite sure that this legislation cannot be shown to be conducive to the growth of such progressive agriculture in this country. The problems of the landless and the smallholders continue to stare us in the face. Our agriculture continues to suffer from conditions of stagnation. We want to know whether this is the comprehensive answer to the problems of this country and whether the Government have really brought forth this legislation as its version of a comprehensive answer. I am quite sure that if Government is persuaded to adopt a candid attitude, it would have to confess that this is once again a hit and run approach, and this is once again lapsing into an experimentalism which may prove disastrous to this country.

In my very elaborate minute of dissent, I have shown that this legislation is a demonstration of a casual and cavalierly approach to the problems of legislation. This proposition was demonstrated incontrovertibly when we found that Government were willing to concede that a large number of enactments which they had included in the original Bill as introduced before the House were not really necessary or germane to the land reform programme. It appears to me that the policies in this matter suffer from an unscientific and unmethodical approach; they suffer from lack of data and from lack of any integrated conclusions. Unless the Government is prepared to base its legislative programme on a scientific basis, we would always be confronted with this kind of improvisation which is very unfair to the country.

As I have said, this constitutional amendment is intended more as a homage to certain dogmatic grooves of thinking dominating our land policies rather than as an attempt at providing a rational and comprehensive answer to the problems which beset our country. My esteemed colleague, Mr. Masani, I think has given the Government more credit than is due to it. He has said that this legislation is an insidious attempt to expropriate and confiscate

[Shri A. K. Gopalan.]

land. I am not quite sure that the Government knows what it wants or how to achieve it. I am not sure that there is any method in this madness. It appears to me that this legislation is an offspring of a casual affair and I hope that the Government would not be a party to inflicting this sort of affront on the Parliament by coming to it and asking for a piece of legislation which it cannot fully justify. It is indeed an insult to our intelligence.

I would like to say in this connection that quite clearly retrospective legislation is as offensive to our juristic thinking as an attempt to legitimise an invalid legislation and legislation in future. I am quite sure that the words of an eminent jurist like Mr. Chatterjee, who sits with us, should carry considerable weight with us. As he has rightly said, the effort to legitimise and validate legislation which has been held to be colourable or a fraud on the Constitution or to be inconsistent with the fundamental rights is to perpetrate another fraud. I am sure the Government will once again consider why it wants us to be a party to such a second fraud. What I cannot understand is as to why the Government should proceed to make democratic values subservient to the dogma of its economic thinking. After all, we have to provide an integrated answer to the problems of the nation. The Constitution is a dispensation under which we are supposed to provide that answer. I refute the claim made by the Government most strongly that it is not possible to carry out the programme of land reform within the framework of a duly constituted regime of laws. I refute the suggestion made by the Law Minister that it is imperative for them to bring about this legislation in order that they may be able to secure social justice for the small landholder. I think that this is indeed a travesty of the truth. I know that I cannot induce the Government to make at this stage a belated confession of these considerations, but I do feel that the Government should have sufficient courage either to withdraw this piece of legislation if it cannot justify this legislation on sane, rational, economic and juristic considerations. I should like this House to know that I am opposing this piece of legislation, not out of mere constitutional conservatism or out of legal or technical orthodoxy; I do so because I think that certain values are involved in this; I do so because I think that this legislation constitutes in a certain degree the reversal of the principles to which we have been wedded as a nation.

**14 hrs.**

Sir, I would like you to consider why it is that the Government feel that article 14, which guarantees to every Indian citizen the right of equality and the right against discrimination, should be abandoned because they think that certain land legislation would not stand the test which article 14 applies to every legislation? I should like to know why the tests which the fundamental rights enshrined in chapter III of the Constitution have laid down have suddenly become irrelevant in the opinion of the Government or without any worth. I should like this House to know the case of the Madras Land Reforms Act which was declared to be null and void by the Supreme Court on the consideration that it seeks to bring into operation a definition of family which is artificial and which is discriminatory. I should like the House to know the illustration which the hon. Supreme Court utilized for this purpose. Take, for instance, a piece of land measuring 300 acres. When this is to be divided between two major sons on the one side and two minor sons and the father on the other side, it is amazing that the Madras Land Reforms Act seeks to

give to each of the two major sons thirty acres of land whereas it seeks to give only 30 acres of land to the father and the two minor sons. Why this distinction is considered to be relevant, to be the *sine quo non* of land reforms of this country? Why should the minor sons and father taken together constitute an artificial conception of family and be discriminated against *vis-a-vis* the natural brothers of these two minor sons? These minor sons will also grow up into major sons in the family in due course of time. What is the basis, what is the justification for the Government to impose this discrimination in the garb of land reforms? Why should the minor sons get only ten acres of land and the father himself should get only ten acres of land while the major sons get 30 acres each? I have raised this question earlier and the hon. Law Minister was good enough to say that I had raised it with great clarity and conviction. I am sorry that I left him still unconvinced in spite of the fact that we have been fortunate in having Law Ministers with considerable legal background. I cannot understand as to how such a piece of legislation would help or be conducive to the programme of land reforms in this country unless it is to confess that the Government wish to protect every legislation under the garb of land reforms and would not want to hear any voice of objection to such legislation.

Sir, I should like in this connection to draw your attention to the fact that when the Constitution was being enacted and when our late beloved Pandit Jawaharlal Nehru moved for the consideration of the finally amended draft article, he had also stated that the draft article would balance seemingly conflicting considerations of individual's right to property and the community's interest in that property. He had gone on to say that the article implied three broad propositions, namely, that there would be no expropriation without compensation, that a distinction had to be made between "petty acquisitions" and large schemes of social reform and social engineering and that the balancing authority ultimately could only be the Legislature which had to keep before it all the relevant factors. He also felt that so far as the question of compensation was concerned, the judiciary did not come into the picture and that the legislature would normally be the final authority. But what is happening now is a departure from the spirit and the letter of the analysis and the assurance contained in the Prime Minister's statement at the time the draft article became a part of our Constitution.

Therefore, I also join issue with the hon. Law Minister when he says that this constitutional amendment is not supposed to be a new legislation, it is only a reiteration of accepted principles. The country has never accepted such expropriatory or unjust measures. I feel that this would not have the effect of either safeguarding land reform legislation in the country or be conducive to prosperous agriculture in the country. On the contrary, it may have the effect of disturbing the conditions without securing any benefits. I think that in insisting on securing such blanket protection as this constitutional amendment seeks to give, the Government have shown a rare and almost unprecedented disregard for fundamental constitutional principles.

I feel that the Constitution of a country is the sheet anchor of certain organic principles and if it is distorted in the casual manner in which it

is being sought to be done, it would not be conductive to the growth of rule of law and for the preservation of the Constitution to which we are all duty-bound.

Before I conclude I should like to say that there are certain matters of detail in respect of this legislation which this House should consider. I am grateful to many esteemed colleagues and hon. friends here who have supported some of the amendments which I have notified. In particular, I should like to draw attention to the fact that clause 2, line 13 reverses the position accepted in this proviso because it leaves it to the State Governments to alter the legislation as and when they desire. I have sought to say that "it shall not be lawful for the State to acquire any portion of such land as is within the ceiling limit applicable to him under any law in force on the 25th day of March 1964". I have notified this amendment because it is a question of fundamental principle that we would not authorise any legitimatisation of future legislation. Without knowing what the legislation the States may enact would be we cannot possibly refer to that legislation here. We would like the ceiling limits which we have objectively considered in the Select Committee and in the House to be the limits which are accepted by this law; that is to say, the ceiling legislation as of the 25th of March 1964 when this measure came up before the Parliament from the Select Committee.

There are many legislative enactments of which I have sought deletion from the Ninth Schedule. I have done so after careful consideration. I know that it is too late in the day perhaps to hope to persuade the Government to agree to the deletion of all the enactments mentioned in my various amendments, but there are certain enactments which do not have a place in this legislation even on the principles accepted by the Government. When my hon. friend Shri Chatterjee, was speaking about the Gujarat Talukdari legislation he said that it was held to be illegal an improper and a colourable exercise of the powers by the Supreme Court to deny right of compensation which have become cash right. Similar is the case of the Gujarat Alienation Act—I think amendment No. 10—where I have referred to the limitation of the operation of this Act in so far as cash compensation is concerned.

I hope that the Government would either be willing to defer or at least to consider the suggestions I have made in these brief submissions I have made before the House and would concede that at least in future such important legislation would be brought forth after maturer consideration.

**श्री काशीराम गुप्त** : उपाध्यक्ष महोदय, भूमि सुधारों का पक्षपाती होते हुए भी मुझे इस बिल का विरोध करना पड़ रहा है। वास्तविक बात यह है कि इस बिल की शब्दावलि में जितनी हम लोगों को उलझाती है उतनी शायद कोई भी बिल की जो कि हमारे सामने आये हैं, नहीं उलझाती थी। इसका नतीजा यह है कि कांग्रेस दल के लोग भी जो भीतर से अपनी गलतियों को जानते हैं वे बेबस हैं और व्हिप के आधार पर उनको वोट देने के लिए मजबूर किया जाएगा। अन्यथा मेरी जानकारी है कि इस सदन के एक माननीय सदस्य जो बहुत बड़े पदाधिकारी हैं कांग्रेस पार्टी के और जो ज्वायंट सिलैक्ट कमेटी के सदस्य भी थे उनको जब मैंने अपने सुझाव बतलाये तो उन्होंने कहा कि हम भी कुछ नहीं कर सकते हैं और जो कुछ आपके पास है उसको आप स्वर्गीय प्रधान मन्त्री महोदय जिस समय वह जिन्दा थे उनके सामने रखते और उनसे मिलते। आइये और कुछ हो सके तो करिये। सिलैक्ट कमेटी ने जो एक संशोधन रखा था सीमा

निर्धारण के बारे में भी वह भी यदि सच कहा जाए तो तब हो सका था जबकि हम लोगों के प्रयास श्री नन्दा जी तक पहुंच चुके थे । यह मनोदशा बतलाती है कि इस पार्टी की सरकार किस तरह से चलती है और किस प्रकार से प्लानिंग कमीशन के लोग इनके ऊपर हावी हैं और किस प्रकार सारा झंझट फैल रहा है ।

जो कुछ शब्दावली इस समय है या जो प्रारम्भ में रखी गई थी यदि उसको मान्यता दे दी जाए तो उससे केवल भला होगा तो कम्युनिस्ट विचारधारा के लोगों का होगा और किसी दूसरे का नहीं होगा । यही कारण है कि जिस समय कम्युनिस्ट पार्टी के लीडर ने प्रारम्भ में भाषण दिया था तो उन्होंने १२४ एक्ट्स को इसमें रख ने की, इस परिच्छेद में रखने की बात कही थी । लेकिन आज वही नेता उसको रिजर्वेशन के साथ रखने की बात कहते हैं । इसका कारण यह है कि एक एक्ट केरल का था जो कि बदल दिया गया है । इससे जाहिर होता है कि कहां खतरा है भूमि सुधारों के जो पक्षपाती हैं वे यह चाहते हैं कि किसान अपनी जमीन का मालिक बना रहे, जो जोतने वाला है उसके पास जमीन रहे, उसको इस प्रकार की विचारधारा का डर नहीं रहना चाहिये कि ज्वायंट फार्मिंग जो है वह उससे जबर्दस्ती करवाया जाएगा और साथ ही साथ उसको यह भी डर नहीं रहना चाहिये कि आज जो उसके पास जमीन है वह कल कोई कानून बना करके छीन ली जाएगी । ये सब संशोधन करने के बाद भी यदि उसका इस तरह का कोई डर बना हुआ है तो उस डर को मिटाने के लिए प्रयास हमारी तरफ से होना चाहिये । उसका एक इलाज तो यह है कि जो संशोधन श्री सिंघवी ने और और मैंने भी दिया है उसको मंजूर कर लिया जाए । दूसरा तरीका यह हो सकता है कि जो किसान है उसको आश्वासन दिया जाए कि जो जमीन उसके पास है और जिसको कानून के द्वारा लिया जा सकता है वह नहीं ली जाएगी ? अगर ऐसा कोई काम नहीं किया जाता है तो इसका नतीजा यह होगा कि न तो पैदावार बढ़ेगी, न किसान चिन्ताओं से मुक्त होगा और न ही वह जो लूट चल रही है उससे मुक्त होगा, बराबर उसको डराया और धमकाया जाता रहेगा । जो दैनिक घटनायें उसके साथ घट रही हैं, वे यही प्रमाणित करती हैं ।

मेरी समझ में नहीं आता है कि यह सरकार जागती क्यों नहीं है ? जब मैं इसका कारण जानने की कोशिश करता हूं तो इसी निष्कर्ष पर पहुंचता हूं कि यह सरकार हृदयहीन, मस्तिष्कहीन लोगों की है । इसका प्रमाण यह है कि १९वें एमेंडमेंट को लाने के बाद आज हमारे विधि मन्त्री जी कहते हैं कि यह १७ वां अमेंडमेंट होना चाहिये । जब उनको मालूम था कि १८वां जो एमेंडमेंट था उसको वापिस लिया जा चुका है तो फिर उसके बावजूद भी १९वें एमेंडमेंट को भेजने की आवश्यकता क्या रह गई थी, यह मेरी समझ में नहीं आया है । सरकार सोती रहती है और फिर जब कभी उसे कोई बात सूझती है उसको बिना सोचे करने के लिए तैयार हो जाती है । उसको ध्यान नहीं है कि उसके सामने क्या हो रहा है । आज जाकर उसको होश आई और सरकार ने कहा कि यह १७वां एमेंडमेंट होना चाहिये जबकि १९वें के नाम से इसको पेश किया जा चुका था, १९वें के नाम से इस पर विचार हो रहा है, १९वें के नाम से इस पर संशोधन पेश किये जा चुके हैं । आज अगर हमारे विधि मन्त्री जी को यह सूझती है कि यह १७वां होना चाहिये तो इससे अधिक शर्म की और क्या बात हो सकती है । यह सरकार तो उसी तरह से करती है जिस तरह से जो अफीमची होते हैं और अफीम खा करके बात करते हैं । वही दशा इस सरकार की हो गई है । आज उनको एक बेचैनी हो रही है और वह बेचैनी यह है कि . . .

**Shri Yamuna Prasad Mandal** (Jainagar): On a point of order, Sir. Is this word parliamentary?

**Mr. Deputy Speaker:** What is the word?

**श्री यमुना प्रसाद मंडल** : 'अफीमची'।

**श्री हुकम चन्द कछवाय** : इसका मतलब साफ है कि आपने अधिक अफीम खाई है।

**श्री काशी राम गुप्त** : आज इनकी बहुत ही विचित्र मनोदशा चल रही है। इन सब का ध्यान आजकल प्रधान मन्त्री के चुनाव पर है जो कि कल या परसों होने वाला है। इसलिए ये लोग सदन में भी नहीं बैठते हैं।

जो गम्भीर विषय है और जिनमें इन लोगों द्वारा गलतियां की जा रही हैं, उनको इन्हें चाहिये था कि ये सुधारें, जो गलतियां हम लोग इनको बता रहे हैं उनको ठीक करें। स्वतन्त्र पार्टी पर यह सरकार लांछन लगाने का प्रयास करती है कि यह पार्टी भूमि सुधारों की पक्षपाती नहीं है। इसको थोड़ी देर के लिए माना जा सकता है। लेकिन जो निर्दलीय सदस्य हैं जिन्होंने इनका साथ दिया है समझौतों में, उनको वे क्या कहेंगे। इन्होंने तो संयुक्त समिति में बैठ कर बराबर कंधे से कंधा भिड़ा कर इनके साथ काम किया है। इन लोगों को ये क्या कहेंगे ?

सरकार को अभी का भी ध्यान नहीं है, अभी क्या होने वाला है, इसकी भी इसको चिन्ता नहीं है। भूमि सुधारों के नाम पर जो व्यवस्था की जा रही है उससे लोगों में बेचैनी फैलेगी। उदाहरण स्वरूप इसमें लिखा हुआ है sites or structures occupied by cultivators of land and artisans etc.

मैंने एक संशोधन दिया था ज्वायंट सिलैक्ट कमेटी में भी इसके बारे में लेकिन उसको माना नहीं गया। मैंने कहा था कि इसमें लिखिये कि यदि वह उनको मालिकाना अधिकार देने के लिए हो। यह चीज किसी जगह है किसी जगह पर नहीं है। उसको भी विधि मन्त्री महोदय ने नहीं माना। इससे यह साफ जाहिर होता है कि उनको स्वयं मुगालता है कि इसका क्या इस्तैमाल होगा। उसके बाद मैंने सोचा कि एक और प्रयास किया जाए। मैंने विधि मन्त्री को एक पत्र लिखा और मैंने कहा कि जहां तक साइट्स का सम्बन्ध है यह सब प्रदेशों में समस्या के रूप में नहीं है, यह किसी जगह पर है और किसी पर नहीं है। अगर बहुत डर लगता हो तो वे सरकारें इसको नवें शैड्यूल में रखवा दें। इसको इस में रखने की जरूरत नहीं है। हमने संशोधन भी पेश किया था जिस पर ध्यान कर लिया जाना चाहिये। लेकिन उस पर विचार तक नहीं किया गया और अगर विचार भी किया जाता है तो इस दृष्टि से कि ये जो विरोध में बोलते हैं, इनका काम तो केवल विरोध में बोलना होता है और इनका बात पर कोई ध्यान न दिया जाए। शायद वह यह सोचते हैं कि हमारे दिलों में दर्द नहीं है। यह बात यह स्पष्ट कर देती है कि जो इनकी ब्रूट मैजोरिटी है उसके बल पर ये जो कुछ भी करवाना चाहते हैं करवा सकते हैं, जो कुछ पास करवाना चाहते हैं पास करवा लेते हैं। इन कानूनों का जनता के ऊपर क्या बुरा असर पड़ेगा इसका ध्यान वे नहीं करते हैं। ये जो बुरे असरात हैं इनको भुगतने की जिम्मेदारी भी इसी सरकार की होगी। अब भी समय है कि यह सरकार चेते।

मैं फिर से कहना चाहता हूं कि मैं भूमि सुधारों का पक्षपाती हूं। किन्तु उन्हीं भूमि सुधारों के पक्ष में हूं कि जिनके द्वारा किसान जिस भूमि में काश्त करता है, उस पर उसका अधिकार सुरक्षित रहे। इस तरह की कोई बात इसके द्वारा नहीं होने वाली है। हमारे एक कांग्रेस के सदस्य जो गुजरात से आते हैं, ने एक संशोधन पेश किया था। उन्होंने मुझे

बताया था कि यदि उसमें एक्सटिंगुइशमेंट आफ राइट्स के बारे में नहीं लिखेंगे तो एक्वायर करने की जरूरत नहीं पड़ेगी और शायद ऐसा कर दें, ऐसा कानून बना दें कि सबकी सब जमीन जो है उसको ज्वायंट फार्मिंग के नाम से, कोआपरेटिव फार्मिंग के नाम से ले लिया जाए। इस प्रकार के शक व शुबह कांग्रेस दल के लोगों में भी मौजूद हैं और विरोधी दल के लोगों में भी मौजूद हैं। इनको अगर डर न कहा जाए तो क्या कहा जाए। इससे बुरी बात और क्या हो सकती है।

९वें शैड्यूल का हवाला देते हुए मैंने कहा था कि उसमें गुजरात का एक्ट है सीलिंग का और उसमें लिखा हुआ है कि किसी भी आदमी के पास जो जमीन है और वह कोआपरेटिव सोसाइटी के बीच में आ जाती है तो उसको जबर्दस्ती भी लिया जा सकेगा और उसके बदले में उसको कोई दूसरी जमीन दे दी जाएगी। एक ओर तो आप यह कहते हैं कि कोआपरेटिव फार्मिंग या ज्वायंट फार्मिंग अगर होगा तो किसान की सहमति से होगा, सबकी सहमति से होगा दूसरी ओर इस तरह की बातें जब आप कानून में रखते हैं तो दोनों का मेल कैसे बैठता है। सीलिंग एक्ट में इस प्रकार की बातें जोड़ने का क्या महत्व है, इसको मैं समझ नहीं पाया हूं। इसको उसके साथ जोड़ने की कोई आवश्यकता नहीं है।

आप महाराष्ट्र के एक्ट को देखें। जहां दूसरे प्रदेशों में उन्होंने गन्ने के फार्म्स को छोड़ दिया है, बरी कर दिया है, वहां उसको उन्होंने हड़पने के लिए कानून में जगह दे रखी है। जब हाईकोर्ट ने उसको निरस्त कर दिया तो उसी को फिर आप क्यों १९वें एमेंडमेंट में शामिल करने जा रहे हैं? १२४ एक्ट एक ही बार रख दिये गये थे, फिर ८८ उसमें से निकाल दिये गये बिना ज्वायंट कमेटी को कोई कुछ भी बतलाये कि क्यों उनको निकाला जा रहा है, हमने भी सोचा कि जितने कम होंगे उतना ही कम सिरदर्द करना पड़ेगा। जब ये ३६ रह गये तो और आठ नए जोड़ दिये गये। उनमें कैसे हैं इसको आप देखें। बंगाल का एक्ट है जिसमें माइनिंग लीजिज का मामला भी जोड़ दिया गया है। खेती का सवाल ही नहीं खनिज पदार्थ भी इसमें जोड़ दिये गये हैं।

खनिजों का मामला भी इसी के साथ जोड़ दिया गया है और उस को भी इस के अन्दर रख दिया गया है। मैं चाहता हूं कि यह जो समय मिला है हमारे कांग्रेस के सदस्यों को इसमें वे अपनी छाती पर हाथ रख कर सोचें कि जो ४४ ऐक्ट इसमें रखे जायेंगे उन में से कितनों का उन्होंने अध्ययन किया है। यदि ईमानदारी के साथ वे अध्ययन करेंगे तो देखेंगे कि एक भी ऐक्ट इस में रखने लायक नहीं है। फिर भी समझौते के नाते से हम ने कुछ संशोधन रखने का प्रयास किया है। मैं ने प्रयास किया है कि अब भी हाई कोर्ट और सुप्रीम कोर्ट ने जो निर्णय दिये हैं उनके आधार पर संशोधन कर के रीजनेबल समय के भीतर और ढंग पर अगर हम उसे ठीक कर सकते हों तो जरुर कर लें।

यह सब बातें इस बात की द्योतक हैं कि हमारी सरकार केवल एक तरह से चलना चाहती है कि जो कुछ उन की ब्योरोक्रेसी ने लिख दिया वह पत्थर की लकीर है और उसी पर वे चलेंगे। उसी के पक्ष में दलील देंगे। दलील देने में वे माहिर हैं। पिछले वर्ष सी० डी० एस० पर उन्होंने बहुत बढ़िया दलील दी थी, गोल्ड कंट्रोल आर्डर पर भी बहुत बढ़िया दलील दी थी, लेकिन बाद में उसके विघड़ाल के लिये भी बड़ी अच्छी दलीलें दीं। दलीलों से कुछ भी करवा लिया जा सकता है इसलिये इन दलीलों का महत्व क्या हुआ अगर अमल में उसका प्रभाव उल्टा हो। इस कानून पर अमल करने से यह होगा हिन्दुस्तान में गरीब आदमी पिस जायेगा। सीलिंग करने के बाद जो जमीनें ली जायेंगी, वे आखिर किन की होंगी। वे नीचे के

[श्री कांशी राम गुप्त]

आदमियों की होंगी, मध्यम वर्ग की होंगी । सरकार यह नहीं बतला सकी कि जो जमीनें वह लेगी उन में से बड़े बड़े जमींदारों की कितनी जमीनें होंगी । वह इस तरह के कोई आंकड़े नहीं दे सकी है । यह क्या बात है कि हम ९वां शेड्यूल तो यहां लिख दें लेकिन उसके आंकड़े हमारे पास नहीं हैं। आप दिल्ली का उदाहरण ले लीजिये । यहां पर सीलिंग ऐक्ट लागू कर दिया गया है जहां पर कि जमीन नहीं है । दिल्ली में जमीन नहीं है लेकिन उसे भी ९वें शेड्यूल में रख दिया गया । जिस पर कोई आब्जेक्शन नहीं हुआ, जिस पर कोई फैसला किसी हाई कोर्ट का नहीं हुआ, उसको भी ९वें शेड्यूल में रख दिया । मैं जानना चाहता हूं कि आखिर डर किस बात का है । हमारी सरकारें क्यों डर रही हैं, क्यों इसमें सीलिंग ऐक्ट को रख दिया जबकि सुप्रीम कोर्ट ने और हाई कोर्ट ने डिसीजन दिया है कि वह सीलिंग के मूलभूत सिद्धान्त के खिलाफ नहीं है, किन गलत तरीके से सीलिंग के लिये ऐक्ट बनाया जाये इस के खिलाफ हैं । असम का जो ऐक्ट है वह सुप्रीम कोर्ट में चैलेन्ज हो चुका है और वह साबित रहा है तो क्यों नहीं सरकार उसके आधार पर अपने ऐक्टों में संशोधन कर लेती । मेरे संशोधन से उन्हें मौका मिलता है कि जब तक यह ऐक्ट फाइनल न हो जाये तब तक वह इसका संशोधन कर ले, साथ में जो डर हमारा है कि गवर्नमेंट न्यूनतम सीमा निर्धारण करने के सम्बन्ध में वह कम न कर दें वह डा० सिंघवी के संशोधनों से सम्बन्धित हैं । सरकार जिस तरह से चाहे उनको स्वीकार कर ले । इसलिये मेरा निवेदन है कि जितने संशोधन रखे गये हैं वह बहुत सोच समझ कर रखे गये हैं । यह सोच कर रखे गये हैं कि जितनी कमियां हैं वे दूर हो जायें और लोगों को तकलीफ न हो । मैं फिर निवेदन करूंगा कि हमारे विधि मंत्री इस दृष्टि से संशोधनों को देखें और इसी दृष्टि से उनका जवाब दें । यह मैं जानता हूं कि अगर सरकार का ह्विप चल गया तो हमारा संशोधन पास नहीं होगा, लेकिन चूंकि अपना कर्तव्य निभाना हमारा फर्ज है इसलिये हम उसको पूरा कर रहे हैं । यहां पर जो भी विरोधी पक्ष के लोग हैं वे सब भूमिसुधार के पक्ष में हैं, केवल कम्यूनिस्टों को छोड़ कर । वे अधिकतर केवल इस दृष्टिकोण को लाते हैं कि किसानों का व्यक्तिगत हित सुरक्षित हो क्योंकि विरोधी पक्षों का मूलभूत आधार यह है कि यदि किसानों की व्यक्तिगत सम्पत्ति के हक का खात्मा हो जाता है तो इस देश के अन्दर डिमाक्रेसी चल नहीं सकती । इसी दृष्टिकोण से सब कुछ किया जा रहा है । इसलिये मैं अपने विधि मंत्री महोदय से निवेदन करूंगा और कांग्रेस के अपने साथियों से निवेदन करूंगा, जिनके दिल में यह बात है कि वे किसानों के हित में सारे संविधान का संशोधन करवाना चाहते हैं, कि वे गौर से इन संशोधनों की तरफ देखें और हिम्मत करके उनके बारे में अपने विचार प्रकट करें और सहमति प्रकट करें, भले ही जब वोट देने का समय आये तो दल की आज्ञा के आधार पर दें ।

अन्त में मुझे एक ही बात कहनी है, और वह यह कि यह बिल एक ऐसे समय रखा गया है जो संक्रान्तिकाल है । एक ओर हमारे स्वर्गीय प्रधान मंत्री की विचारधारा है, जिसको हमें समझना चाहिये । उनका कभी यह मत नहीं था कि किसान जो है उसको खतरा पैदा हो । दूसरी ओर ऐसे लोग हैं जो इस ताक में लगे बैठे हैं कि कब यह बिल पास हो और वे लोग किसी तरह गलत नतीजे निकालें, और तीसरी तरफ वे लोग हैं जो बिना विचारे इस बिल को पास करेंगे । मैं निवेदन करूंगा कि यदि बिना विचारे हुए और पूरी तरह से जानकारी किये हुए उन लोगों ने इस बिल को पास किया तो यह उनकी कर्तव्यहीनता होगी ।

**Dr. B. N. Singh:** Mr. Deputy-Speaker, Sir, I rise to oppose the proposed 19th amendment of the Constitution which is a vicious piece of legislation, anti-social, anti-national and is a most dangerous and illegitimate invasion on law and justice.

The Union Minister in re-introducing this measure before this House in a cavalier spirit, so soon after the measure was not accepted as the 17th amendment of the Constitution, have exhibited their callous indifference to the disastrous impact which this Bill will bring and have on the great mass of agriculturists which constitutes 70 per cent of the entire population of this country.

The amendment will arm the Government with *carte blanche* powers and, like the zamindars who were removed and their intermediary rights were taken away from them by virtue of the first and fourth amendments of the Constitution on payment of nominal compensation, the peasant proprietors will be deprived of their lands which they have acquired by the sweat of their brow by virtue of this nineteenth amendment of the Constitution on payment of illusory compensation. They will, thus, under the democratic set-up of the socialistic pattern of the Congress Government be reduced to the position of serfs entirely dependent on the Congress Government for their food, employment, shelter, education etc.

It is a travesty of justice to make all owners of land intermediaries which the definition proposed in the Bill seeks to do. The Government is planning a gigantic fraud on the Constitution by extending the expression "estate" to cover a field held under *ryotwari* system.

The official protagonists of this Bill say that this measure has been brought to give protection to peasant proprietors. If that is so ,it is only a very feeble attempt to cover falsehood with further false promises.

The real object of the Bill is, by one stroke of pen, to deprive all holders of property, not only agricultural but those connected with agriculture, of their rights guaranteed to them with regard to the equitable nature of compensation and thus pave the way to totalitarianism. If the amendment is passed, the whole of rural India, the backbone of democracy, will be crushed and placed at the mercy of the Congress Government which whipped into action by its leadership can easily travel to the bitter end of collectivisation.

The main reason advanced by the Congress leaders in favour of joint cooperative farming is that it will increase the production from land. But this myth has been exploded long before. We have seen the dramatic failures of joint cooperative farming in Communist China which has to purchase vast quantities of grain even to maintain the short rations on which the Chinese Communists have to survive; so also, in the Soviet Union which had bread rationing in Moscow and which has negotiated for the purchase of wheat from countries like the U.S.A. and Canada which do not have co-operative farming.

The yield of land depends directly on the care with which the peasant cultivates and conserves the soil and protects the crop. Hired labour or members of large cooperatives can hardly be expected to cultivate the soil as intensively and well as the peasant who happens to be the proprietor, the farmer and the labourer, all in one.

It is not that the Congress does not or cannot realise the baneful effects of its policy; but unfortunately cooperative farming has become an obsession with them. The Congress has no respect for private property. All private holdings are as hateful and irksome to them as red rag to a bull and hence by hook or by crook, by means foul and illegitimate, they are

[Dr. B. N. Singh]

determined to crush and destroy the possessors of private property.

**An Hon. Member:** Except themselves.

**Dr. B. N. Singh:** The peasant is a bulwark of stability and freedom in India. The capitalist class can be attacked, the lawyers and doctors can be ignored, the learned professions can be nationalised because there are only a few of them. The Communist cannot however have his socialism without first liquidating the peasant.

In India, Sir, 52 per cent of the peasants own land and 70 per cent of the 400 million inhabitants live by agriculture. Obviously there can be no communism in this country so long as this class exists. The Congress is well aware of this fact, and it is only to extinguish them so as to have its way for progressive socialism in the country that this Government has rushed forward with this amendment, unaware however of this fact that with the passing of this Bill the Congress shall be signing its deferred death warrant which will come into effect with the coming of the next general elections.

Sir, the Bill before the Parliament which consists merely of three clauses and looks very simple is more treacherous than the Trojan horse which held treacherous forces inside its harmless-looking exterior. The Government feel that they will be able to deal with a mass of uneducated innocents through the coercion of legislation. But I am afraid that they are gravely mistaken. Because, once the peasants are aware that the sword of Damocles is to continuously hang over their heads, which is sure to happen once the Bill is passed, I am afraid and it will be no wonder if the peasants of India, like their counterparts in America and France, rise in revolt for the establishment, nay recognition, of fundamental human rights.

The sense of property is so deep-rooted in the psychology of the Indian peasant and the attachment to the land is so strong that any interference with the independent rights of cultivation and cropping will be resolutely met.

When the rights of the tenure-holders were being nationalised, no one had any serious objections, because in a welfare State the land must belong to the tiller of the soil. It is only when the Government without any mandate from the people is trying to rob the land from the tiller of the soil that there is vehement opposition coming from all corners of the country.

The Government may not recognise this objection and may pass this Bill by the strength of its brute majority here; but they must realise that this numerical majority in this House is not even an infinitesimal drop when compared with the millions of persons who are against this measure. The Government will therefore do well to have second thoughts on this measure before rushing through this legislation.

The Government, Sir, of late has become so power-intoxicated and restless that it does not wish to brook any opposition from any quarter. And, to legalise and finalise this loot, this daylight robbery, it has ousted the jurisdiction of the courts to adjudicate on (1) whether the land of the peasant is being acquired for public purpose and (2) whether the compensation is just or not.

In a democratic country like ours the independence of the judiciary has to be maintained at a high level by the Parliament. It is the judiciary which not only safeguards against the misconstruction and abuse of power by a department of Government but also against any excesses of party spirit and what is known in political science as the 'tyranny of the majority.'

It will be against all canons of jurisprudence to deprive the citizen of his

right to move the judiciary if he feels that his property is being acquired or compulsorily requisitioned for a purpose which he does not consider to be public. Otherwise, Sir, a residential house, a shop, a factory or land belong to a person who has not earned the good wishes of the big party boss is always in danger of being nationalised for 'public purpose', which purpose I am afraid can always be invented. Therefore, it is imperative that the question of public purpose and the quantum of compensation should not be made non-justiciable issues.

Unfortunately, Sir, this Congress Government, like the Communists, has its peculiar autocratic ways of disposing of hurdles. In India, under the new dispensation, if the Supreme Court differs from the leadership of the party with regard to the meaning and content of the Fundamental Rights the Fundamental Rights have to go, the jurisdiction of the courts has to be ousted and the will of the leadership has to prevail. As the Government is progressing more and more towards socialism and communism it is becoming more and more unreconciled to the role of the judiciary as the interpreter and arbiter of our Constitution When the Government meets with any obstruction in the Constitution from the Chapter on the Fundamental Rights in translating the Directive Principles, it immediately rushes forward with an amendment of the Constitution trying to legalise all illegalities and immoralities. In this connection I would quote one paragraph from the statement of Rajaji. He said:

> "Laws passed contrary to fundamental principles of law have been called 'Lawless Laws'. When they are contrary not only to fundamental principles but to the express articles of the Constitution embodying them, they are still more lawless. And the climax of lawlessness is reached when the law actually seeks to amend the Constitution itself, in order to bring it into line with itself. The lawlessness is aggravated by a spirit of open rebellion against the Constitution."

A Government which indulges in lawless methods of confiscating property, which ignores the judiciary as the custodian of the fundamental rights of the citizens, which treats the Constitution with scant respect and which refuses to recognise certain fundamental human rights, such a Government has no moral right to govern, and its actions tantamount to contempts of the Constitution, the judiciary and above all the dignity of the human being, and in any normal democratic country would expose it to impeachment.

**Dr. M. S. Aney** (Nagpur): Sir, I wish to make certain observations on the Constitution (Nineteenth Amendment) Bill as it has emerged from the discussions of the Joint Committee.

The Bill has been subjected to criticism both by those who want to support it and also those who are opposed to it.

The number of memoranda received by the Joint Committee is shown as 1,36,141.

**Shri Ranga**: After that so many more.

**Dr. M. S. Aney**: "Besides these", it is stated in a footnote at page (v) of the above Report, "68, 427 representations were received before the Bill was referred to the Joint Committee." I can safely say on the strength of these figures of representations that this Bill has attracted as much adverse criticism as the notorious Gold Control Order and the Compulsory Savings Deposit measure, if not more.

The Statement of Objects and Reasons specifically pointed out that this amendment Bill has been necessitated by the judgment of the Supreme Court declaring certain vital provisions of

[Dr. M. S. Aney]

the Kerala Agrarian Relations Act, 1961 *ultra vires* of the Constitution. The result was that the immunity from judicial review guaranteed under Article 31A of the Constitution cannot be availed of for compensation for acquisition of land or other proceedings under that law, even though it be for a public purpose. The present Amendment Bill is to protect the actions taken or to be taken under the Kerala Agrarian Relation Act from the consequences of that Supreme Court judgment. This Bill, in fact, serves to validate a provision in the State law which the Supreme Court has declared void.

The Bill is not confined to the validation of the particular State Act but has brought within its scope by including in the Ninth Schedule 36 Acts out of 124 Acts included in the Bill when it was introduced. 88 Acts were dropped by the Joint Select Committee which however have added eight Acts which were not recommended for inclusion in the Ninth Schedule in the Bill that was introduced. This dropping of 88 Acts from and the addition of new eight Acts to the Ninth Schedule by the Joint Select Committee indicate that the question of the Acts of the States for land reforms had never been considered and studied systematically and from any particular point of view at all at any time. I think that the land reforms all over India must be based on certain definite and well-recognised principles though there will be some minor differences in details in the implementing of those principles. Though we are giving a good deal of emphasis on having started planning for bringing about a great economic improvement and socio-industrial revolution, it is quite clear that in the matter of land reform the Union Government and the State Governments have failed to make a thorough study of the agrarian position before taking upon the work of legislation on land reforms. They are seen drifting rather than progressing to any destination in accordance with the well-thought-out plan.

There is no attempt to get proper data and most essential statistical information either by the Government of India or the State Governments to base their inferences for the purpose of taking up the work of legislation. There is more enthusiasm in advocating the urgency of land reforms on the ground of basing it on socialism than for studying, understanding and interpreting the facts and data without which proper legislation cannot be undertaken. The one question which I wish to point to the hon. Minister of Law is, why the Union Government took the initiative of bringing this validating measure for validating a number of State laws most of which have not been struck down by the High Courts or the Supreme Court. Ordinarily, the measure for validating a law should be taken by the very legislature which has passed it. The subject of land is 18th item in List II—State List. After the ruling of the Supreme Court, the State Government of Kerala should have brought forward a validating measure themselves. Why did the Union Government take it up and more the Central legislature? The powers of the legislatures, Central and States, for items mentioned in List I, List II and List III have been defined in articles 245 to 255 in Part XI of the Constitution. There are two articles in the Constitution, articles 249 and 250, where Parliament is empowered by the Constitution to legislate on items in the State List. The two occasions are, the first when a State emergency proclaimed and the same is in force and the second is when the matter is one of national importance. In the case of latter, a resolution by the Council of the States has to declare it and the same has to be supported by not less than two-thirds of the members present and voting. I take it that the hon. Minister of Law may have got the resolution from the States either before the introduction of this amending Bill or sometimes before the Bill was referred to the Joint Select Committee.

I am not mentioning this point to urge that the House cannot consider this measure legally. I say that no case was made out by the Union Government for the assertion of the right by the Union Government to introduce the Bill in Parliament either on the ground of emergency or of national interest. I do not object on the ground that it is illegal for the Government to proceed with the measure but on the ground that it is unwise and improper for the Union Government to bring this matter for legislation in Parliament even if it may have the right to do so.

The Joint Select Committee was obviously placed in an awkward position to examine in detail 124 Acts of the States without any proper material or statistics before them to understand them. The State legislature would have been the proper place for discussion of the validating measures of this kind. It is the State legislatures who knew under what circumstances those laws were passed. I feel that the members of the Joint Select Committee must have been feeling like groping in the dark when asked to examine the State Acts and the little light that might have thrown on them to elucidate the matter before them must have served "to render only the darkness visible". The dissenting minute of the members of the D.M.K. makes charges against the Union Government for including the new Kerala Act in the Ninth Schedule and not the one which was declared *ultra vires*. This validating measure does not show in the Ninth Schedule the Act that was declared *ultra vires* This is a very important point in my opinion. The Supreme Court declared the Act as *ultra vires*. The Act which had been declared void has not been put in the Schedule at all. In the meantime, the Kerala Government made another law. I do not understand this. Who are the persons who gave them advice from the Centre to bring forward this law?

Why should a new Act that was passed by the Kerala legislature after the decision of the Supreme Court be in the Schedule? I do not understand how the Central Government comes into the picture.

Among the eight Acts newly added, some have been struck down by the High Courts and not by the Supreme Court. There are some which are included out of fear that they might be declared *ultra vires* if challenged by anybody.

It appears to me that the State Governments and the Government of India were in a state of panic and did not know what to do. They think that with the brute majority behind them they can get anything passed. Things have come to such a pass. It is a sorry state of affairs. I am not oppositing the principle underlying this. I am opposed to the manner and procedure adopted. By these methods they are trying to save themselves from chaos which is otherwise inevitable.

**श्री बड़े** (खारगोन) : उपाध्यक्ष महोदय, १७वें एमेंडमेंट पर मैंने भाषण दिया था । मैंने कहा था कि स्टालिन के अनुसार अगर आप यहां भी सुधार लाना चाहते हैं तो भले ही लायें, बंदूक की नोक पर किसान की अगर आप जमीन लेना चाहते हैं तो भले ही ले लें लेकिन अगर दूसरी तरह से आप जमीन लेना चाहते हैं तो आप न लें । मैंने कहा था कि यदि आपने किसान की जमीन को हाथ लगाया तो गांव गांव में भोलाशंकर के नाम से क्रांति हो जायेगी, गांव गांव में जनता जनार्दन भोलाशंकर डमरू बजा बजा कर ताण्डव नृत्य के संहार का दृश्य देखने को आपको मिल जायेंगे । इस वास्ते बहतर यही होगा कि कम से कम किसान की जमीन को आप हाथ न लगायें । जब तक किसान की जमीन नहीं जाती है तब तक वह किसी भी चीज की परवाह नहीं करता है । तब तक कुछ भी हानि नहीं हो सकती है। लेकिन जैसे ही उसकी जमीन को हाथ लगाया जाता है, वह इसको

[श्री बड़े]

बरदाश्त नहीं कर सकता है । जमीन जाती देख कर प्रत्येक किसान जागरूक हो जायेगा और शासन को उलट देगा, क्रान्ति कर देगा । पता नहीं तब कब ऐसा हो जाये । कम्युनिस्ट लोग तो यही चाहते हैं । वे कहते हैं कि प्राइवेट प्रापर्टी नहीं रहनी चाहिये । संविधान ने प्राइवेट प्रापर्टी रखने का अधिकार प्रत्येक नागरिक को दिया है । जब ऐसी बात है तो किसी को भी अपना खेत रखने का अधिकार मिलना चाहिये, उसका यह अधिकार सुरक्षित रहना चाहिये । जब एक आदमी मर जाता है तो उसकी जमीन पाने का अधिकार उसके लड़के को क्यों न रहे । मैं जब भी गांव में जाता हूं तो किसान पूछते हैं कि क्या कारण है कि जो कारखानेदार है, जो पूंजीपति है, उसको अपनी पूंजी बढ़ाने का अधिकार है, जिसके पास एक कारखाना है उसको एक के दो और दो के चार करने का अधिकार है, लेकिन जिसके पास जमीन है उसको ऐसा ही अधिकार प्रदान नहीं किया जाता है । उन्हीं की जमीन पर यह सीलिंग का कानून क्यों लागू किया जाता है, दूसरे जो पूंजीपति हैं, उन पर यह लागू क्यों नहीं किया जाता है । इसका जवाब किसी के पास भी कोई नहीं हो सकता है ।

मैं लैंड रिफार्म्स के विरुद्ध नहीं हूं । लेकिन मैं इसके पक्ष में कभी नहीं हो सकता हूं कि उसकी जमीन उससे छिन जाये । मैं इसके भी विरुद्ध हूं कि कोई आदमी अगर न्यायालय की शरण लेना चाहे तो उसको इससे वंचित रखा जाये । संविधान को संरक्षण प्रदान करने के लिए, प्रजातंत्र को सफल बनाने के लिए कोर्ट्स तैयार किये गये हैं, न्यायालय खोले गये हैं जहां पर कोई भी नागरिक जा कर इंसाफ पा सकता है । लेकिन इस बिल से उसके दरवाजे भी शासन हमारे ही हाथ से बन्द करवाना चाहता है, चाहता है कि हम इस बिल को पास कर दें ताकि लोग न्यायालय की शरण न ले सकें ।

मैं उनको भी जो कांग्रेसी सदस्य हैं और जिन के पास जमीनें हैं कहना चाहता हूं, उनके लिए भी खतरे की घंटी बजाना चाहता हूं कि यह भस्मासुर अगर एक बार तैयार हो गया है तो इससे आप भी अछूते नहीं बचेंगे । आप भी इसकी चपेट से बच नहीं सकते हैं । जिनके वोट ले कर आप आते हैं, उनके वोट भी आप को प्राप्त नहीं हो सकेंगे ।

यह खतरा कैसे पैदा होता है, इसको आप देखें । पंचवर्षीय योजना में लिखा हुआ है कि हमारा अन्तिम लक्ष्य कोआपरेटिव या कलैक्टिव फार्मिंग का रहेगा । उसको करने के लिए किसान को कहा जायेगा कि क्या वह जमीन देता है या नहीं और अगर अपने आप देने के लिए राजी नहीं होगा तो उसको कहा जायेगा कि मार्किट वैल्यू ले ले और निकल जा । उसको उसकी जमीन से जबर्दस्ती वंचित कर दिया जायेगा । अब आप देखें कि मार्किट वैल्यू क्या है, इसको कौन डिसाइड करेगा । इसको वही भस्मासुर डिसाइड करेगा, वही राक्षस डिसाइड करेगा, शासन ही डिसाइड करेगा । इसके खिलाफ अपील ले कर कोई भी आदमी कोर्ट में नहीं जा सकता है । यह मार्किट वैल्यू नहीं होगी यह मनतंत्र वैल्यू होगी । लैंड एक्वीजीशन ऐक्ट में हमारे यहां पर मार्किट वैल्यू के बारे में (होलकर स्टेट के समय में तथा मध्य भारत में) कहा है कि ट्वेंटी टाइम्ज आफ दी लैंड रेवेन्यू बिल बी कंसिडर्ड मार्किट वैल्यू । अगर लैंड रेवेन्यू १० रुपया हुआ तो दो सौ रुपया उसकी मार्किट वैल्यू होगी और इतना पैसा दे कर किसी को भी अलग किया जा सकता है । इसके खिलाफ आज हम दो दो और तीन तीन कोर्ट्स में जा कर लड़ सकते हैं लेकिन इस बिल के पास होने के बाद हम किसी भी कोर्ट में जा कर लड़ नहीं सकेंगे । मेरी नजर में ऐसे ऐसे केस भी हैं कि जहां पर ६००० रुपया

मार्किट वैल्यू बतलाई गई थी लेकिन कोर्ट में, हाई कोर्ट में जा कर १८,००० रुपये मिले। अब अगर शासन के निर्णय से कोई असन्तुष्ट होता है तो वह कहां जायेगा ? अब तो शासन के किसी निर्णय के खिलाफ किसी भी न्यायालय में कोई नहीं जा सकेगा, उसको चुनौती नहीं दे सकेगा। इसलिए मैं चाहता हूं कि आप और कुछ नहीं कर सकते हैं तो कम से कम कोर्ट्स के दरवाजे तो उसके लिए बन्द न करें। यही एक खतरा है जिसको मैं चाहता हूं कि आप गम्भीरता से लें।

नौवें शैड्यूल में आपने कितने ही एक्ट रखे थे लेकिन धीरे धीरे उनको आपने कम कर दिया। एक एक्ट की तरफ़ मैं आपका ध्यान दिलाना चाहता हूं। मुझे पता नहीं क्यों सिलैक्ट कमेटी ने इस एक्ट की तरफ ध्यान नहीं दिया। अगर दिया तो पता नहीं क्यों उसकी नहीं चली। साधारण लोग जब विचार करते हैं तो उनकी शायद चलती भी नहीं है। इसमें ४६ नम्बर का एक एक्ट नौवें शैड्यूल में शामिल किया गया है जिसका नाम है मैसूर विल्लेज आफिसिस एबालिशन एक्ट, १९६१। अब आफिसिज जो होते हैं ये प्रापर्टी कैसे होते हैं, पता नहीं। सुप्रीम कोर्ट ने तो निर्णय दिया है कि आफिस प्रापर्टी नहीं होती है, वह लैंड नहीं होती है। कहीं पर तो इनको पटवारी कहा जाता है, कहीं पर तलाठी कहा जाता है और मैसूर में इसको विल्लेज एकाउंटेंट कहा जाता है। इसकी वहां पर हेरेडेटरी पोस्ट होती है। यह हेरेडेटरी पोस्ट न रहे, इसको खत्म करने के लिए यह एक्ट तैयार हुआ था। १२००० के करीब लोग इससे प्रभावित होते थे। उनमें से एक हजार विल्लेज एकाउंटेंट्स ने हाई कोर्ट में रिट दायर की। सुप्रीम कोर्ट में ४० रिटस अभी भी पेंडिंग हैं। वहां से स्टे आर्डर मिला है इसके बारे में। यह कहा गया है कि जो विल्लेज एकाउंटेंट्स हैं उनको नौकरी से न निकाला जाए और यह जो एक्ट है इसको प्रभावशील न किया जाए। सुप्रीम कोर्ट से इसके बारे में स्टे आर्डर मिलने के बावजूद भी इसको इस में शामिल कर लिया गया है। शासन जो कि हमें कोर्ट की इज्जत करने की सीख देता है, वह ही उसकी अवहेलना करता है। हमारे ला मिनिस्टर साहब ला कोर्टस को बहुत मानते हैं, उनकी बहुत इज्जत करते हैं, जब वह भाषण देते हैं तो हमें गौरव का अनुभव होता है। वह एक एडवोकेट रहे हैं एक काउंसिल की हैसियत से उन्होंने काम किया है, कोर्ट के प्रति उनके दिल में बहुत आदर भाव है। हमें भी वे कोर्ट्स की इज्जत करने की बात कहते हैं। यह सब कुछ होते हुए भी इस एक्ट को जिसके बारे में स्टे आर्डर इशू हो चुका है, वह क्यों इसमें इनक्लयूड कर रहे हैं, समझ में नहीं आया है। क्यों सुप्रीम कोर्ट की उपेक्षा कर रहे हैं ? क्यों आप यह कहते हैं कि इसको क्वैश्चन नहीं किया जा सकता है ? क्या यह कोर्ट की बेअदबी नहीं है ? आप भस्मासुर का धीरे धीरे निर्माण कर रहे हैं। एक सांप का बच्चा आप पैदा कर रहे हैं जो कि धीरे धीरे बढ़ता जाएगा, जिसके विष के दांत आयेंगे और यह काट खायेगा। यह जो खतरा है इसके प्रति मैं आपको सावधान करना चाहता हूं। आप किसान की जमीन को किसी भी हालत में हाथ न लगायें। अगर आपने उसकी जमीन को हाथ लगाया तो नतीजे खतरनाक होंगे। आपको इन लोगों से ही वोट लेने हैं। जब आप वोट मांगने जायेंगे तो किस मूंह से जायेंगे और क्या उनको आप जवाब देंगे। जब आप से किसान पूछेगा कि इस तरह का ऐक्ट आपने क्यों पास होने दिया जिस के द्वारा उससे न्यायालय में जाने का अधिकार भी छीन लिया गया है तो आप क्या जवाब देंगे ? क्या आप यह कहेंगे कि आपको हाथ ऊंचा करने के लिए कहा गया था, इस वास्ते आपने हाथ ऊंचा कर दिया ? आप क्या उसको उत्तर देंगे। यह बिल लैंड सुधार के बारे में किसी भी

[श्री बड़े]

सूरत में नहीं हो सकता है ।

**15 hrs.**

किस तरह के सीलिंग एक्ट हैं, इसको आप देखें । महाराष्ट्र में एक सीलिंग एक्ट है । मेरे प्रदेश की सीमा से उसका बोर्डर लगता है । वहां पर गन्ने की खेती जहां होती है उस को भी लैंड सीलिंग के अन्तर्गत ले लिया गया है । लेकिन अंगुर की खेती जहां होती है जो किसान अंगूर की खेती करते हैं, जो केले की खेती करते हैं, उस पर यह सीलिंग एक्ट लागू नहीं होता है । इसका नतीजा यह हुआ है कि किसानों ने गन्ना बोना बन्द कर दिया है और अंगूर की और केले की खेती करना शुरू कर दिया है । इसका नतीजा यह हुआ है कि गन्ना कम हो गया है । लैंड रिफार्म्स के कितने खतरनाक परिणाम हो रहे हैं, इस ओर भी आपका ध्यान जाना चाहिये । लैंड रिफार्म करना है तो उसके वास्ते आप विचार कीजिये कि क्या करना चाहिये । यह नहीं कि आर्टिकल ३१ (ए) को अमेंड करने के लिये कांस्टिट्यूशन के १९वें अमेंडमेंट में सब ऐक्ट्स को शामिल कर लिया । फिर यह ऐक्ट कैसा है । यह लूजवर्डेड ऐक्ट है । इस पर विचार नहीं किया गया है । जैसे हर एक स्टेट में अलग अलग गुटबाजी चलती है उसके अनुसार सीलिंग ऐक्ट तैयार किये गये हैं । सीलिंग ऐक्ट पर कोई सात साल से विचार हो रहा है । लोगों को मालूम हो गया कि सीलिंग ऐक्ट आने वाला है तो उन्होंने बाप के नाम जमीन को कर दिया, पत्नी के नाम जमीन कर दिया, लड़के के नाम पर कर दिया, साले के नाम पर कर दिया । हालांकि जमीन एक ही आदमी रखता है लेकिन कागज पर वह अलग अलग आदमी के नाम में हो गई । उस के बाद कह दिया कि सन् १९५९ और १९६० के पहले जो पार्टिशन हो गया उस पर यह लागू नहीं होगा, उसके बाद जिस ने पार्टिशन किया है उसी पर लागू होगा । इन सब बातों पर विचार करना चाहिये कि क्या हो रहा है अलग अलग स्टेटों में और उस के बाद यहां बिल को लाना चाहिये । लेकिन आपने इस प्रकार की बात नहीं की । अभी गुजरात के सम्बन्ध में डा० सिंघवी ने बतलाया मैं कहना चाहता हूं कि हमारे ला मिनिस्टर महोदय कम से कम मैसूर विल्लेज आफिसेज ऐबालिशन ऐक्ट को फिर अभ्यास करें और उसको देखें कि दरअस्ल इसका प्रभाव क्या होगा । १२ हजार लोग बेकार हो जायेंगे, उन की रोजी-रोटी छिन जायेगी । इस लिये इस प्रकार का कानून नहीं होना चाहिये । मैं चाहता हूं कि इस दृष्टिकोण से इस पर दुबारा विचार किया जाये । पहले जब मैं ने भाषण दिया था तो कहा था कि इस में ठीक से सुधार करना चाहिये । यह सुधार नहीं है । जैसे कि स्टैलिन ने किया था रूस में । चूंकि हम लोग उस तरह से सुधार कर रहे हैं इसी लिये कम्यूनिस्ट लोग कह रहे हैं कि यह बड़ा अच्छा सुधार है । वे लोग सोचते हैं कि इस तरह से सरकार में कुबुद्धि हो रही है और शासन में कुबुद्धि होने से देश में क्रांति हो जायेगी और शासन खराब हो जायेगा । ऐसा हो जाने पर फिर वे अपनी पार्टी को मजबूत बना सकेंगे । कम्यूनिस्ट लोग यह चहाते हैं इसी लिये ताली बजाते हैं । आपसे कहते हैं कि आप अच्छे चल रहे हैं जिसमें कि आग लग जाये और आग लगने के बाद फिर कहेंगे कि यह बड़ी अच्छी बात हो रही है । इस तरह से वे सोचते हैं कि शासन उनका हो जायेगा और कम्यूनिज्म स्थापित हो जायेगा । मैं कहना चाहता हूं कि हम को अपने यहां कम्यूनिज्म नहीं लाना है, सोशलिज्म लाना है । हम लोग भूमि सुधार के विरुद्ध नहीं हैं । भूमि सुधार जरूर होना चाहिये । जिस के पास भी ज्यादा जमीन हो उस से ले लेना चाहिये । आज जिन के पास आवश्यकता से अधिक भूमि हो उन के पास उसे कम होना चाहिये और जो जमीन जोते उस की जमीन होनी चाहिये । इस बात के विरुद्ध हम लोग नहीं हैं । पर एक तरफ हम कहते हैं कि लैंड टु दि लिटर और दूसरी तरफ उस से जमीन छीनना चाहते हैं । हमारे यहां पर

रैवतवाड़ी सिस्टम भी है। हम कहते हैं कि जो भी बोनाफाइडी ऐग्रिकैल्चरिस्ट है उस के पास जमीन रहेगी, अगर बोनाफाइडी काश्तकार नहीं होगा तो उससे जमीन छीन ली जायेगी, लेकिन लैंड टेनैन्सी ऐक्ट जो है, रैयतवाड़ी लैंड ऐक्ट जो है, उस को भी इस बिल में शामिल कर लिया गया है। मैं चाहता हूं कि आप इस पर विचार करें। मैं जानता हूं कि यह हमारा अरण्य रोदन हो जायेगा, हम कहते जायेंगे जो कहना होगा, लेकिन कम से कम जो मतदाता हैं उनके सामने हम कहेंगे कि देखो गांव वालों का कितना नुकसान किया गया। यह जो भस्मासुर कानून है क्या उसको तैयार करना चाहिये। कम्यूनिस्ट लोगों ने मांग की और हम लोगों ने उसका विरोध किया। मैं यह कहूंगा कि हमारे गांव वालों के लिये इसमें कोई नफ़ा नहीं था। मैं जानता हूं कि १९वें संशोधन को पास करने के लिये ६ लाख रु० खर्च करके हमें बुलाया गया और हमारा और पार्लियामेंट का टाइम ले कर इस-बिल को लाया गया। १९वें अमेंडमेंट को लाने का कारण केवल यह है कि सरकार की हठ है कि वह इस बिल को पास करवा कर दिखलायेगी। लेकिन इस सम्बन्ध में मेरा कहना यह है कि हमारे ला मिनिस्टर साहब कोर्ट में विशेष रूप से विश्वास करते हैं इस लिये कम से कम इतना प्राविजन तो इस बिल में कर दें कि यदि कोई आदमी असन्तुष्ट हो तो वह कोर्ट को जा सकता है। लेकिन इस आर्टिकल ३१ (ए) में इतने ऐक्ट्स को इन्क्लूड करके यह कर दिया गया कि अगर कोई कानून अल्ट्रा वायर्स हो और कोई आदमी कांस्टिट्यूशन में जो अधिकार उसको दिया गया है कि वह जा कर कोर्ट में अपील कर सकता है, उसका इस्तेमाल करके वहां जाना चाहे तो उसका भी दरवाजा बन्द हो जाये। यह जो वरदान आप मांगते हैं यह बिल्कुल देश के काश्तकारों का शोषण करने के लिये हैं। इससे मुझे हरिणाकश्यप की बात याद आती है। उसने कहा था भगवान से वरदान मांगा था कि रात या दिन किसी समय मेरा मरण नहीं होना चाहिये, भगवान ने कहा "तथास्तु" और वह वरदान रूपी बिल पास हो गया। फिर वरदान मांगा कि मुझे मकान के अन्दर भी नहीं मरना चाहिये, मकान के बाहर भी नहीं मरना चाहिये। भगवान ने कहा 'तथास्तु"। फिर कहा: अस्त्र शस्त्र से मरण नहीं होना चाहिये। यह भी पास हो गया। फिर उस ने कहा कि जो मां के पेट से निकले वह भी मुझे न मार सके, क्योंकि वह जनता था कि ऐसा तो कोई है नहीं जो कि मां के पेट से न जन्मा हो। इस पर भी भगवान ने तथास्तु कह दिया। परिणाम यह हुआ कि भगवान को ही लकड़ी में से निकलना पड़ा उस राक्षस को मारने के लिये। इसी तरह से अगर आप हरिणाकश्यप बन जायेंगे और कहेंगे कि हमतो भगवान बन गये, हम तुम्हारी तकदीर के मालिक बन गये, तो फिर जनता जनार्दन रूपी भगवान जंगल जंगल से और पहाड़ पहाड़ से निकलेगा। यही मैं आप से कहना चाहता हूं। मैं आप को चेतावनी देना चाहता हूं कि ला मिनिस्टर का कर्त्तव्य है कि जो लोगों का विशेष अधिकार है उस की रक्षा करें। वे कोर्ट के महत्व को मानते हैं, उन्होंने बहुत दफे कहा है कि वे कोर्ट की बहुत इज्जत करते हैं, मैं उन से पूछना चाहता हूं कि जो जो मैसूर विलेज आफिसेज ऐबालिशन ऐक्ट को इस में नवें शेडयुल में शामिल किया है वह किस बुनियाद पर किया है। मैं एक बहुत छोटा सा वकील हूं, अगर हमारे ला मिनिस्टर साहब इस बात पर प्रकाश डालेंगे तो मैं भी उन से कुछ सीख लूंगा। मैं जानना चाहूंगा कि इस ऐक्ट को किस प्रकार इस में ले लिया गया है। इसके सम्बन्ध में मेरे पास मैसूर का एक नोट है, अगर ला मिनिस्टर चाहें तो मैं उस को उन्हें दिखला सकता हूं। उसमें वर्णन किया गया है यह मैसूर विल्लेज आफिसर एबोलीशन कानून में किसी प्रापर्टी का प्रश्न नहीं है। मैं चाहता हूं कि ला मिनिस्टर साहब उसे फिर देखें और दुबारा विचार करें।

मैं अपने मित्रों से भी विनती करता हूं कि जिस प्रकार से उन्होंने १७वें अमेंडमेंट

[श्री बढ़े]

को अस्वीकार किया है उसी तरह से इस १९वें अमेंडमेंट को भी अस्वीकार कर दें ।

**श्री सरजू पाण्डेय** (रसड़ा) : उपाध्यक्ष महोदय, इस संविधान संशोधन विधेयक पर जितने भाषण सुबह से हुए उनको मैं सुन रहा हूं । कांग्रेसी भाइयों को तो आज कम गालियां मिली हैं । भाषणकर्ताओं को सबसे ज्यादा गुस्सा कम्यूनिस्ट पार्टी पर है । कहते हैं कि इन संशोधनों के पास हो जाने से देश में कम्यूनिज्म आ जायेगा । दूसरी बात यह है कि इसके पास हो जाने से मुल्क में बगावत आ जायेगी, झगड़े हो जायेंगे, हमारे यहां नरसिंह पैदा होंगे और इस संशोधन करने वाले राक्षसों का वध करेंगे । मैं नहीं जानता कि इस संशोधन भगवान की क्या प्रतिक्रिया है, लेकिन एक बात मैं जरूर समझता हूं कि यह जो सीधा सादा संशोधन आया उसकी मंशा यह है कि जितने भी राज्य सरकारों द्वारा भूमि सुधार के बनाये हुए कानून हैं उन को रेगुलराइज किया जाये । मुख्य मंशा इस की यह है, लेकिन जब से यह संशोधन आया है स्वतंत्र पार्टी और जन संघ ने लगातार जनता में बाहर और भीतर एक झूठा प्रचार करना शुरू कर दिया है और लोगों को गलत बातें बतलाने की कोशिश करते हैं ।

**श्री उ० मू० त्रिवेदी** : उसे आपने भी सुना और दूसरों ने भी सुना ।

**श्री सरजू पाण्डेय** : वे लगातार इस बात का प्रचार कर रहे हैं कि इससे मुल्क में कम्युनिज्म आयेगा और लोगों की व्यक्तिगत सम्पत्ति छिन जायेंगी और न जाने क्या क्या हो जायेगा । मैं नहीं समझता कि इस संशोधन से किसी व्यक्ति की सम्पत्ति का अपहरण होता है । सीलिंग का विरोध किया गया है । उस का कानून हमारे यहां बना, पंजाब में बना, दूसरे राज्यों में बना, लेकिन सीलिंग के बाद भी एक जमीन का टुकड़ा ऐसा नहीं मिला जोकि गरीब किसानों को निकाला गया हो ।

**Shri Ranga:** Government have got in their possession 100 million acres. Why does my hon. friend not take that? But this Government is not going to give anything.

**श्री सरजू पाण्डेय** : जमींदारों ने कानून आने से पहले सारी जमीनों को गलत ढंग से अपने परिवार के लोगों में बांट लिया है ।

**Shri Ranga:** The zamindar has gone long ago.

**श्री सरजू पाण्डेय** : हमारे स्वर्गीय प्रधान मंत्री ने कहा था कि जितने भूमि सुधार हुए हैं उन से किसानों को कोई फायदा नहीं हुआ, लेकिन जब से यह संशोधन आया है एक शोर मचा हुआ है कि किसानों की जमीनें छिन जायेंगी । लेकिन बात उल्टी है । इस संशोधन से जो जमीनें जमींदारों से थोड़ी बहुत प्राप्त हुई हैं, वह गरीब के पास रह जायेंगी ।

**श्री उ० मू० त्रिवेदी** : कोर्ट का दरवाजा क्यों नहीं खोला जाता है ।

**श्री सरजू पाण्डेय** : कोर्ट का दरवाजा नहीं बन्द किया गया है । हमेशा हमारे स्वर्गीय प्रधान मंत्री व्यक्तिगत स्वतंत्रता के समर्थक रहे (*Interruptions*) अभी हमारे भाई साहब ने, जन संघ के नेता ने फरमाया कि इस कानून से हिन्दू सोसायटी टूटेगी . . .

**श्री उ० मू० त्रिवेदी** : यह कानून तोड़ना चाहता है ।

**श्री सरजू पाण्डेय** : समाज कम्युनिस्ट हो जायेगा, और पिछले सोलह सालों में

सिर्फ हिन्दू समाज को नष्ट किया गया है और जो हमारे पुराने संस्कार हैं वह इस तरह की चीजों से टूट जायेंगे, वे बचेंगे नहीं । आप तो पढ़े लिखे बड़े पंडित मालूम होते हैं । आप कहते हैं कि मार्क्स ने जो आइडिया दिया था आज इस तरह से वह आ रहा है । आप मार्क्स को छोड़ दीजिये, व्यास ने लिखा है महाभारत में :

"नाछित्वा परमर्माणि, नाकृत्वा कर्म दुष्कर्म,
नाहत्वा मत्स्यघातीव प्राप्नोति महती श्रीः ।"

बड़ी सम्पत्ति किसे मिलती है इस की उन्हों ने व्याख्या की है कि बिना दूसरे के मर्मस्थल को छेदे हुए, मछुए की भांति हत्या किए बिना, बड़ी सम्पत्ति प्राप्त नहीं होती । आपने जमींनें कहां से हासिल की हैं ? उन लोगों ने अंग्रेजों की चाटुकारिता कर के, देश की जनता का गला घोट कर जमीन प्राप्त की है । आज वही मुआवजा मांगते हैं । क्या हक है उन को मुआवजा मांगने का । आज सरकार में जो लोग बठे हुए है वे जमींदारों के घरों के हैं । जिन्होंने हमेशा इस मुल्क की लूट का पैसा लिया है । वे हक नहीं रखते कि मुआवजे की मांग करें । अपने अपराधों को छिपाने के लिये जनतंत्र की दुहाई देते हैं, लेकिन आजकल जनतंत्र हो गया है गरीब भाइयों का लूटना, अब जनतंत्र हो गया है दूसरों की जमीन पर कब्जा कर लेना, दूसरों को घर से निकालना । इस तरह का जनतंत्र अब इस मुल्क में नहीं चलने दिया जायेगा । मेरे यह मित्र बगावत की धमकी देते हैं । बगावत कौन करेगा ? बगावत क्या यह अवध के नवाब, राजे और महाराजे करेंगे जिन्हों ने कि गरीबों को जिंदगी भर लूटा है ? उनकी ओर से इसके विरुद्ध जो बगावत करने की धमकी दी जा रही है तो मैं नहीं समझता कि कौन जमींदार या नवाब बगावत करेगा ? क्या यह थोड़े से मुट्ठी भर राजे अथवा नवाब देश में बगावत करेंगे ? मेरा तो मत है कि इस तरह के क़ानून को देश में आज से बहुत पहले आना चाहिए था ।

श्री काशी राम गुप्त ने कहा है कि प्रधान मंत्री श्री नेहरू के निधन के बाद यह लेजिस्लेशन यह क़ानून नहीं आना चाहिये था लेकिन मेरा तो निश्चित मत है कि यह क़ानून बिना और विलम्ब के शीघ्र पास किया जाय क्योंकि इसे पास करने की स्व० प्रधान मंत्री जी की मंशा थी, इसी के लिए उन्होंने अनुरोध किया था जिसके कि लिए यह स्पेशल सैशन बुलाना आवश्यक हुआ और उनकी आत्मा इस बात के इंतजार में होगी कि जिस चीज को उन्होंने शुरू किया था उस को यह पार्लियामेंट कब पास करती है । मुख्य रूप से पार्लियामेंट का मौजूदा सैशन संविधान के इस उन्नीसवें विधेयक को पास करने के लिये बुलाया गया है । इसलिए हम उसे तत्काल पास कर के उनकी आत्मा को सुखी ही बनायेंगे और जैसाकि कुछ लोगों ने कहा कि इसे पास करके उनकी आत्मा को दुखी बनायेंगे यह कहना ग़लत होगा । जिस काम को उन्होंने शुरू किया था उसे इस सदन को पूरा करना चाहिये और यह बड़ी प्रतिष्ठा की बात होगी ।

इसलिए इसे बिना विलम्ब के पास कर देना चाहिये ।

**15.12 hrs.**

[MR. SPEAKER *in the Chair*]

इस संशोधन को एक झंझट और सटेबाजी की बात बताना ग़लत है । इस के लिए यह कहना कि इसके पास करने से कोर्ट्स के दरवाजे बंद हो जायेंगे, छो

छोटे किसानों की जमीनें छीन ली जायेंगी, कोआपरेटिव आ जायगी या देश में कम्यूनिज्म स्थापित हो जायगा, हिन्दू समाज छिन्न भिन्न हो जायगा, ठीक नहीं है। इस का विरोध करते हुए एक साहब ने यह भी कहा कि इसे पास कर के कांग्रेस सरकार जनता से अपने को आइसोलेट कर लेगी। अगर ऐसा हो भी तो इससे उन को खुशी ही होनी चाहिये क्योंकि अगर कांग्रेस इस लेजिस्लेशन के पास करने से जनता से दूर हो जाती है तो अगले आम चुनावों में जनता उसका साथ नहीं देगी और फिर हमारे यह भाई मजे से पावर में आ सकते हैं और जैसा भी चाहें कानून में फेर बदल कर सकते हैं अथवा उसको वापिस ले सकते हैं। इसलिए मेरी तो समझ में नहीं आता कि जनसंघ और स्वतंत्र पार्टी वाले इस बात से क्यों चिंतित हैं कि अगर इस तरह का कानून सरकार ने पास कर दिया तो वह जनता से आइसोलेट हो जायेगी और फलस्वरूप उसका राज्य चला जायगा ? आखिर कोई कांग्रेस सरकार का राज्य तो यह स्वतंत्र और जनसंघ वाले बरकरार रखने के लिए आये नहीं हैं। अगर उनका राज्य इससे जाता है तो जल्दी जाने दीजिये आप क्यों उनके लिये व्यर्थ में चिंता करते हैं ? उस से तो आप की राजनीतिक मंशा पूरी ही होती है। इसलिये मेरा तो कहना है कि सरकार जितनी जल्दी इस कानून को पास करे उतना ठीक होगा और ऐसा कर के हम स्वर्गीय प्रधान मंत्री की आत्मा को सुखी बनायेंगे।

लैंड रिफार्म्स लाना इस देश में बहुत आवश्यक है और इस दिशा में सब राज्यों में इस बारे में युनिफारमिटी लाने के लिए और उनको एफैक्टिव बनाने के लिए इस तरह का क़ानून पास करना आवश्यक है। विभिन्न राज्यों में जो लैंड रिफार्म्स के कानून बने भी हैं वे पर्याप्त नहीं हैं। मैसूर राज्य में हालांकि भूमि सुधार कानून कहने को बना हुआ है लेकिन वह सिर्फ नामिनल है। जमींदारियां तोड़ी गई लेकिन जमींदारों की प्रापरटीज अभी भी उन्हीं के पास मौजूद हैं। सारी जमीनें खुद उत्तर प्रदेश में वे लिये बैठे हैं। मुश्किल से ५, ६ फीसदी लोगों के पास वह जमीनें गई हैं बाकी जनता के पास कोई जमीन नहीं है। इसलिए यह ठीक ही किया जा रहा है कि उन लैंड रिफार्म्स को जोकि इधर, उधर स्टेट्स में रायज हैं और जिनसे कि समाजवादी लोकतंत्र और जनतंत्र की व्यवस्था स्थापित करने में मदद मिलेगी उनको इस तरह का संशोधन विधेयक लाकर ठीक किया जाय। इन्हीं शब्दों के साथ मैं इस उन्नीसवें संविधान संशोधन विधेयक का समर्थन करता हूं और आशा करता हूं कि सदन् इसको शीघ्र पास कर देगा।

**Shri J. B. Kripalani:** I do not want to cover the ground that has already been covered by my predecessors who have shown that it is not justifiable to change the tenure of land every now and then. It has been found in Europe that treating the land like that does not increase production, but decreases production, and it has been our experience here also.

To call every change in the law of land holdings as reform reminds me that when I was a student and was reading history every robber Viceroy had to his credit reform I used to think they were not reforms but reforms. They were deforms, but they were called reforms. Every piece of legislation that the Government considers as reform is only a re-formation; it may be not for the benefit of the people, but for their harassment.

Now, our Government tries to change the very dictionary meaning of words. For centuries it has been known what the word 'estate' means. If the Law Minister had consulted his dictionary, he could not have committed such a blunder as to call a couple of bighas of land as an 'estate.' Today

our Government changes the dictionary meaning; tomorrow, like the Bolsheviks, they will change history itself, and people who fought for the freedom of the country would soon be considered, including our great patriots who have passed away, as reactionaries, as friends of the capitalists and imperialists. It has been done so in our life time in China, in Russia, and I am afraid that if we change the dictionary meaning of words like that, we will tomorrow change even history.

I was suprised to see that a learned Lawyer like our Law Minister—he is learned in the law, though he may be young in years—had the adaucity to say that they want to pass this law brushing aside all technicalities.

**Shri M. R. Masani:** Shame.

**Shri J. B. Kripalani:** As a lawyer he ought to know that these technicalities are not technicalities, but they are procedures. What would happen to the criminal trial if there were no Criminal Procedure Code along with the Penal Code. When you dabble like that with procedure, you are killing the very spirit of law.

I remember what Gandhiji once told me when I was going to use the provident fund of the workers of my ashram for commercial transactions in khadi. He said: "You cannot do that, it must be deposited in the bank. Even if they the workers, have consented that the money be used for khadi work, it must not be so used because, if you violate established procedures, tomorrow you do not know where you will land yourself. You will find yourself in deep waters."

Then, changing the Constitution as soon as the judiciary gives an adverse judgment is bringing the judiciary into disrespect This judiciary is something very precious that the British Government left to us, and abrogating their authority by making Parliament supreme is bringing it into disrespect and taking away the authority that the Constitution-makers gave to the judiciary. Every time a law is considered to be invalid and unconstitutional by the Supreme Court, Government comes here with an amendment of the Constitution, and it wants to change the fundamental law. Why not then make this Parliament as supreme as the Parliament of England? Bring one all Comprehensive amendment, a universal amendment that the judiciary cannot declare any law passed by Parliament *ultra vires* of the Constitution.

**Shri M. R. Masani:** Shame.

**Shri J. B. Kripalani:** Let us remember that Parliament is not the supreme body in India, as very erroneously the Law Minister said when he introduced this Bill.

**Shri A. K. Sen:** I never said that.

**Shri J. B. Kripalani:** Yes, please. You go and refer to the proceedings You said that Parliament was supreme. Yes, Parliament is supreme, not the ordinary Parliament, but Parliament when it makes the Constitution.

We, the members, do not swear to keep the intention of the Parliament but we swear to keep the Constitution. The Constitution is superior to Parliament. Parliament is supreme only at the time when it makes the Constitution. I remember what we did when we framed the Constitution. I may tell the hon. Law Minister that there was absolutely no party whip used them. Everybody was free to vote because it was the Constitution that was being made. Even Congressmen were not bound by the whip. We should remember that we are sitting here today as a Constituent Assembly, when we are changing the Constitution. Let there be no mistake about that I want this Government to realise that while changing the Constitution it is constituting Parliament into a Constituent Assembly. It is immoral and illegal to use anything

[Shri J. B. Kripalani]

like a whip to party Members in Parliament. You give them freedom and let them vote as they like because we are changing the Constitution. The Constitution itself provides that it is not an ordinary function of Parliament to change the Constitution, it shall have to be done through some extraordinary procedure. With not even 45 per cent of the votes, our Government comes to rule here and so it cannot make itself into a Constituent Assembly. If it does, then I say that honesty and fairness, justice and morality require, even the law requries that it should not issue the whip to the party Members of Parliament. Also if you want that judiciary should have no power to declare any law *ultra vires* of the Constitution, then I say: make this Parliament as supreme as in England. What does English Parliament stand for? English Parliament can do everything except turn a man into woman and a woman into a man.

**An Hon. Member:** Now it can do even that.

**Shri J. B. Kripalani:** I am yet to learn how they can do it, turn a man into a women. Now, changing the Constitution—what does it imply? It implies that we who made the Constitution would not see some fifteen years ahead. Were we not concerned with social justice and social change? Were we capitalists or imperialists? Were we making a Constitution for this country or were we making a Constitution—I ask—for a conquired land? We could not see even fifteen years ahead while the Founding Fathers of the American Constitution made a Constitution wherein for two hundred years they have not made as much change as we have made in fifteen years. We must be Supremely stupid as compared to those people 200 years back. Not only that. This Government could not see beyond the tip of its nose. In 1951, they changed the law of the land so far as cultivable lands were concerned. They came with another amendment in 1955. Now, they have again come with this amendment. Were all the previous Law Ministers so stupid as that? They had no brains? They could not see ten years ahead? What were the law Ministers for if they could not see beyond the tip of their nose? This is not the way things are done.

I am not going to go into the details of the law. I know that there are people here who will call me reactionary. I have been called so many names during my political career that I have ceased to care. I say what I consider to be for the good of my nation. If you are going to tamper with the law of regulating the rights in land frequently, I say you will not be able to solve the food problem. The bhoodan movement could not do it; the gramdan movement could not do it, though it, was inspired by a saintly person; you will not give some time to the people to adjust themselves to carry on farming on their land. You have abolished zamindari. That was a good thing but do not go on changing the law now and then. I appealed to the new Government and the new Prime Minister to show some grace and not introduce this legislation at this time. Remember when we are talking of democracy—I say, Sir, with all confidence and all the political knowledge that I have received from books and experience—we must understand that some kind of minimum property is the essence of individuality. If you take away all property, then I say: you destroy democracy; you do not know what you are doing. I will again appeal to you—for God's sake, for the sake of your own retaining of power, give freedom to Parliament, give freedom to its Members to vote as they like. Then it will be truly seen whether the House is with you or not. If you do not give that freedom, all that I can say is: you have got a majority; you have got a steam roller majority and you want to carry with that majority things that are of doubtful value to the people. Thank you.

**Shri A. K. Sen:** Mr. Speaker, may I start by replying to what had fallen from Acharya Kripalani? I think he has really provided a solid argument for the Bill when he said possibly in a moment of forgetfulness that minimum property is necessary to support individuality of the common man. That is exactly the purpose behind all measures of land reform....

**Shri Ranga:** Question.

**Shri J. B. Kripalani:** May I say that they have increased landless labourers? Every reform that you have undertaken has increased the number of landless labourers. Go and study the statistics of your Government.

**Shri A. K. Sen:** ....so that landless agricultural labourers who have worked for centuries and thousands of years on the lands producing valuable corn and plenty of sustenance for the owners of these lands.

**Shri Ranga:** May I remind my hon. friend that Government have passed orders that no wastelands belonging to the Government should be allotted to the agricultural workers and satyagraha organised by my party and the communist party in Andhra is going on in Andhra demanding that this order should be withdrawn? It is your Government which is responsible. There is Government land—100 million acres.

**Shri A. K. Sen:** I am very obliged to the hon. Member for this information. He has been trying to impress this very fact for quite sometime and I can assure him that I am not hard of hearing. I have followed his warnings whenever they have come as I do now I shall try in my humble way to answer the worning which he had held out from time to time.

As I said, I agree with Acharya Kripalani that some amount of possession is absolutely necessary to give the ordinary man a sense of purpose in a free society. Even in the completely communist society, I presume there is some amount of personal property left to the individual. We are, therefore, completely against a system which denies millions of labourers any right of property in the land they till, except the right to labour, to hew the wood and draw the water for others, for whom apparently there have been a few advocates on the other side. We are determined, as I said—I repeat it again, though not in the same language as Acharya Kripalani employed—to cast away all limitations in our way which might have been interpreted to have been supported by the Constitution, in order to achieve this very noble purpose of giving the tiller of the soil the minimum of land.

**Dr. B. N. Singh:** What is that minimum according to you?

**Shri A. K. Sen:** The minimum is to be prescribed by the respective States, because the Constitution itself leaves that work to the States.

**Dr. B. N. Singh:** Therefore, there is no guarantee of the minimum.

**Shri A. K. Sen:** But the principle of giving the minimum, instead of the maximum being enjoyed by a few landlords and a few prosperous persons for whom apparently a few hon. Members possibly have held the cudgels against us, is the principle which we want to establish. It is not a question of being disrespectful to the judiciary but I think it is a question of being mindful to the judiciary, when they point out that unless certain limitations are cleared, it would not be component for us to legislate in certain fields. And, the right to change Constitution is inherent in the Constitution itself.

I do not think it was ever claimed on behalf of us on this side that Parliament was supreme. Let it be declared, if any declaration is necessary, that Parliament is not supreme, when we have a written Constitution like ours under which the different organs of the Government have to function. It is the Constitution

[Shri A. K. Sen]

which is supreme. All other organs are subordinate. Not even the Parliament can transcend the limits prescribed for it by the Constitution. I am sorry if I had ever conveyed the impression to anyone—apparently I had to Acharya Kripalani, I do not know which particular expressions of mine have coneyed that impression—that Parliament was supreme. No lawyer could say that. When there is a written Constitution we know only of one supreme thing and that is the Constitution. Because the Constitution is supreme, therefore, it is necessary to amend the Constitution when it becomes necessary in order to carry out the principles to which we are wedded. And, that is precisely what we are doing. We wish to appropriate to ourselves constitutional powers through the machinery prescribed in the Constitution itself, so that we can achieve the very things which we have prescribed for ourselves.

Mr. Masani spoke about the *bona fides* behind the Bill. Mr. Masani said that we had not dared to put before the electorate at the time of the last general election our programme for land legislation and that this particular Bill had not been put before the electorate because we were afraid that we would not get a majority. May I read out what was in the manifesto clearly, because he had specifically referred to the manifesto of the Congress Party? At paragraph 29 of the printed manifesto, at page 11, it is stated clearly:

> "Agrarian reforms are the basis for rural progress. Much has been done in the past years in regard to such reforms. These reforms including the ceilings on land must be given effect to as soon as possible in all the States."

**Shri Ranga:** Who has objected to ceilings? The Supreme court has not objected to it.

**Shri M. R. Masani:** It is expropriation we object to, not the ceiling. We have made it clear.

**Shri A. K. Sen:** When Mr. Masani and others spoke, we had listened very patiently.

**Shri Ranga:** You have nothing to lose; you are holding us to ransom.

**Mr. Speaker:** Let him proceed.

**Shri Ranga:** But why should be misinterpret what we said?

**Mr. Speaker:** Let him say what he likes.

**Shri A. K. Sen:** I am not in the habit of misinterpreting anyone. But I am in the habit of answering everybody...

**Shri Ranga:** That also you do not do.

**Shri A. K. Sen:** .... as it is my paramount duty. As I was pointing out, the Congress Party manifesto clearly pledged itself to carrying out land reforms and to impose ceilings on the holdings of land.

**Shri M. R. Masani:** But that is not the Nineteenth Amendment.

**Shri A. K. Sen:** These measures which have been struck down have been struck down on the ground that the ceilings which have been imposed are contrary to articles 14 and 19.

**Shri M. R. Masani:** Question.

**Shri A. K. Sen:** Some of the Acts have been struck down on the ground that estates which were brought to be acquired were not estates within the meaning of article 31A, because in certain areas *ryotwari* settlements or like settlements were not regarded as estates according to the local law and usage, whereas in other areas of India, they were. Therefore, it was necessary to widen the meaning of 'estate' in regard to those particular areas and also clear the ground for measures imposing ceilings so as not to attract the prohibitions of

articles 14 and 19. The whole purpose is to carry out proper ceilings which were imposed by the respective State legislatures. There is no other purpose in acquiring surplus land, but to impose proper ceilings as holdings for each tiller of the soil. That, I conceive, is the paramount purpose behind all land reform legislation and that, I have endeavoured to show, was clearly before the electorate in the Congress manifesto.

Mr Masani has forgotten that all the laws which we are seeking to validate were passed before the general elections of 1962. They were valid laws until they were declared bad. Excepting one, the challenge had come after the general elections of 1962.

**Shri M. R. Masani:** Why didn't you challange that one?

**Shri A. K. Sen:** If my hon. friend will come and ask me outside, I will answer, because this cannot be answered across the table. As I said, all the laws were passed before the general election and by the Congress Party in every legislature. If I am not incorrect, the same party has been elected to all the legislatures in a majority. So the argument of Shri Masani that these were not before the electorate and that we are committing a fraud—I think that is the expression he used.....

**Shri M. R. Masani:** Quite right.

**Shri A. K. Sen:** .... does ont really bear scrutiny. We are really seeking to perpetuate those laws, by clearing away all impediments, which were passed before the general elections and which it is, therefore, our duty to uphold even after the general elections.

Then the next point Shri Masani made, which was again hinted by Acharya Kripalani, was that we have been disrespectful to the judiciary. This is a favourite argument whenever the laws are changed in order to meet judicial objections. A democratic country changes the laws when courts point out the defects and an undemocratic country dismisses the judges. That is the difference between democratic processes and an undemocratic set up. And it is absolutely necessary for every democratic country to change the laws, if found deficient by courts, by properly framed legislation, if it is necessary to give effect to the principles for which they are brought. If they do not, they would not be worthy of the democratic responsibility of which they have been charged with by the people. If the Parliament has been charged with the responsibility of carrying out these policies, it is absolutely necessary for us to give effect to these policies and to clear the legal objections, if there be need, as respectfully pointed out by the court.

There is no conflict between the judiciary and the Parliament. I for one have always endeavoured to see that we accord to the judges the highest respect that we can.

**Shri Ranga:** You paralyse them.

**Shri A. K. Sen:** And professor Ranga will enlighten me further if our giving respect to our judges has been found deficient.

**Shri Ranga:** You paralyse them first.

**Shri A. K. Sen:** I shall be happy if Professor Ranga gives the courts greater respect than ourselves. In regard to that I shall have no quarrel. But that does not mean that respect for the judges enjoin on us a duty of never changing the laws which are found deficient; changing the law according to the consensus of opinion in Parliament, that I think is the way in which parliamentary democracy should function.

**Shri Ranga:** Give freedom of voting to your members.

**Shri A. K. Sen:** Therefore, we are not really here to discuss high principles of democratic government, respect for the judiciary and various other things that have no doubt been brought into the picture in order possibly to put up a fight of principles as if.....

**Shri Ranga:** Would the Government admit that they do not hold any high principles?

**Shri A. K. Sen:** there is a matter of principle involved in the objections offered by the other side. If I may say so with respect, because the other side is very conscious of the fact that it is taking up cudgel for vested interests.... (*Interruptions*).

**Shri Ranga:** Question.

**Shri A. K. Sen:** ....they are trying to cover it with the garb of principles, parliamentary democracy and various other things.

**Shri J. B. Kripalani:** The greatest vested interest is the Government.

**Shri A. K. Sen:** If I may say so, it is the pricking of the conscience which creates this picture of conflict of principles. There is no conflict of principles. The principles is quite clear. We want to give every tiller the minimum of possession which we regard as necessary for the purpose of ensuring proper cultivation and a sense of purpose in our tiller.

**Shri Ranga:** That is not so as far as the government goes...

**Shri A. K. Sen:** I think Shri Masani gave the real argument when he said that he did not object to the ceilings being imposed but give them proper market value as compensation.

**An hon. Member:** The cat is out of the bag.

**Shri A. K. Sen:** There we differ. Those who have surplus land which they do not cultivate themselves but let out to others and live as intermediaries are not entitled to market value according to our notions of compensation. And we have not followed that principle in abolishing zamindari, big landlords, and we are not going to follow that principle in this matter also. Therefore, it is really a matter of pound, shilling, pence, so far as Shri Manasi and his friends are concerned, who are objecting to it.

**Shri Ranga:** Certainly not.

**Shri A. K. Sen:** He said he believes in ceiling. He said: look at Japan and Formosa; they have imposed ceiling; but they have paid full market value. He believes he told us very frankly—that ceilings are necessary to improve agriculture. By imposing a proper system of land holding, Japan has improved its agricultural production beyond measure. But he really objects to private property being taken over excepting on payment of full market value.

**Shri Ranga:** Has his predecessor not given an assurance that full compensation will be giiven.....

**Shri A. K. Sen:** In my submission, no. He could not have in the face of...

**Shri Ranga:** When the Imperial Bank was nationalised, for every share worth Rs. 100, they paid Rs. 1,700. That was done by this Government. But you were not there,.... (*Interruptions*).

**Shri A. K. Sen:** I am still ready to learn from Professor Ranga many things.

**Shri Ranga:** But I am not prepared to learn anything from you on this. You are a useless Law Minister.

**Shri A. K. Sen:** Maybe.

**Shri Ranga:** What else are you?

**Mr. Speaker:** Order, order. The hon. Member may resume his seat.

**Mr. Ranga:** We are being treated in this way... .

**An. hon. Member:** Hysteria.

**Shri Ranga:** It is Communist hysteria.... (*Interruptions*).

**Mr. Speaker:** Order, order. I would not allow this conflict between two hysterias.

**Shri Ranga:** There is no hysteria on this side.

**Mr. Speaker:** Order, order. If there is none, then hon. Members should keep silent.

**Shri Ranga:** Then they should not talk like that.

**Shri Daji** (Indore): We were also keeping quiet until we were provoked.... (*Interruptions*).

**Mr. Speaker:** There has been running commentary and I have not been able to hear what the Law Minister has been saying.

**Shri Ranga:** We are able to hear him all right.

**Mr. Speaker:** Should I stop him now?

**Shri Ranga:** He does not seem to be keen at all in offering any justification. Have you found even one Congress Member getting up to support him? There was none on his side to justify the Law Minister. He has to do it all by himself. They have allowed only the Law Minister to speak. What does it mean? No other member has spoken from that side. He alone is answering all the criticism.

**Mr. Speaker:** Now it is not for him to take up that point that because no other member has spoken from that side.....

**Shri Ranga:** His conscience is pricking him.

**Mr. Speaker:** Then what should I do? Dismiss him?

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** Sir, it was because of your orders that no Member from our party has spoken. Did you not say so?

**Mr. Speaker:** Yes, I did.

**Shri Satya Narayan Sinha:** The Speaker wanted that nobody from our side should participate in the discussion. Ask him if you have any doubt.

**Mr. Speaker:** Order, order.

**Shri Ranga:** After the Bill was once defeated here, you had the hardihood as the Chief Whip to issue a whip to Congress party members. You should be ashamed of yourself.

**Mr. Speaker:** Hon. Members should realise that there ought to be some limit to making such accusations. Now, can the Law Minister continue his speech?

**Shri Ranga:** Of course, he is free to speak.

**Mr. Speaker:** No, he is not being allowed to speak.

**Shri Ranga:** He has not plenty of time to speak.

**Shri A. K. Sen:** If it is expected that this heat will produce reaction on this side...

**Shri Satya Narayan Sinha:** It will not.

**Shri A. K. Sen:** .... those who expect this will be very sadly disappointed, because we refuse to be provoked when it is a matter of duty. Therefore, as I was saying, it is really a matter of what compensation is to be given for the surplus land that is taken and there, as I said, we beg to differ from Professor Ranga and his colleagues. And I reiterate before I take my seat that I am ready to learn many things from Professor Ranga. I do not presume that I know everything and I have nothing to learn from him. And I shall always be grateful to him for a few lessons

[Shri A. K. Sen]

which he may still in his kinder moments think of extending to me.

**The Minister of Food and Agriculture (Shri Swaran Singh):** At the moment he is angry.

**Shri A. K. Sen:** Therefore, as I said, let us not be confused and talk about high principles, because nothing is involved in this matter. We are wedded to a particular economic arrangement and social arrangement in the matter of land holdings and if any legal difficulties appear in the way we conceive that it is our duty to clear them, and it is precisely what we are seeking to do. That is all what I have got to say.

**Shri M. R. Masani:** I would like to ask the Law Minister how this Amendment can be reconciled with the assurance given by his predecessor, Dr. Ambedkar, that this Government would never take away the rights of ryotwari tenants and expropriate their land without full compensation. How is this Amendment going to be reconciled with that a solemn pledge given by the predecessor of the Law Minister?

**Shri A. K. Sen:** I would quote from Dr. Ambedkar's speech while moving the First Constitution Amendment Bill. He says that it was not the intention of the Government to take away the rights of ryotwari tenants, not ryotwari landlords.

**Dr. L. M. Singhvi:** I rise on a point of order. None of the points raised by many of us on the floor of the House has been answered or touched upon by the Law Minister. This is a very important matter and the Law Minister cannot be permitted merely to touch upon one or two points raised by some speakers and not answer to the debate raised in this House. This subject is of national interest. Is this discussion to be reduced to a mere formality? Is it only a formality or have they no answer to the various issues raised on the floor of this House?

**Shri A. K. Sen:** The hon. Member referred to two specific Acts. I reserve my answer to that point and I would deal with it when we come to the clause-by-clause consideration.

**Shri J. B. Kripalani:** May I ask a question? This is a Constitutional amendment. When we made the Constitution, we allowed freedom to every Congressman to vote as he liked. Will the Government allow that free vote now?

**Mr. Speaker:** The hon. Member would realise that it is not my concern. That is their internal affair.

**Shri J. B. Kripalani:** Will you make them say so?

**Mr. Speaker:** I cannot press them to say that. It is for them to decide whether they would leave their Members to vote freely or not.

**Shri K. C. Sharma** (Sardhana): It is our concern. We are free to vote.

**Mr. Speaker:** Order, order. I shall now put the first amendment to vote.

The question is:

> "That the Bill be circulated for the purpose of eliciting opinion thereon by the 29th August, 1964."

Those who are in favour may say "Aye".

**Some hon. Members:** Aye.

**Mr. Speaker:** Those who are against may say "No".

**Several hon. Members:** No.

**Mr. Speaker:** The "Noes" have it.

**Some hon. Members:** The "Ayes" have it.

**Mr. Speaker:** I will take the division.

**श्री ओंकार लाल बेरवा** (कोटा) : अध्यक्ष महोदय, माननीय सदस्यों से पूछ लीजिए कि उन्होंने घंटी सुनी है या नहीं ।

अध्यक्ष महोदय : अगर नहीं भी सुनी है, तो मैं ने उस का ख़याल नहीं करना है। इसलिए आप को क्या चिन्ता है ?

Let the lobbies be cleared. The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 29th August, 1964."

*The Lok Sabha divided:*

**Shri D. C. Sharma** (Gurdaspur): My hand trembled, Sir. I could not press the button. My statement for "No" should be recorded.

**Shri Harish Chandra Mathur** (Bhilwara): I have not been allotted a seat yet. My statement for "No" should also be recorded.

**Shri Joachim Alva** (Kanara): There is no light on my machine.

**Shri D. C. Sharma:** There is no light on my machine also.

**Mr. Speaker:** I find the light is still there on Mr. Sharma's table.

All the statements would be recorded.

**Division No. 2]** **AYES** **[15.59 hrs.**

Bade, Shri
Badrudduja, Shri
Basant Kunwari, Shrimati
Berwa, Shri Onkar Lal
Bheel, Shri P. H.
Brij Raj Singh, Shri
Buta Singh, Shri
Deo, Shri P. K.
Ghosh, Shri P. K.
Gulshan, Shri
Kachhavaiya, Shri Hukam Chand
Kapur Singh, Shri
Kar Singhji, Shri
Kesar Lal, Shri
Kohor, Shri
Krishnapal Singh, Shri
Mahananda, Shri
Masani, Shri M. R.
Rajyalaxmi, Shrimati
Ram Singh, Shri
Ranga, Shri
Reddy, Shri Narasimha
Sharma, Shri D. C.
Shashank Manjari, Shrimati
Shastri, Shri Prakash Vir
Singh, Dr. B. N.
Singh, Shri Y. D.
Singha, Shri Y. N.
Solanki, Shri
Utiya, Shri
Vijaya Raje, Shrimati
Yashpal Singh, Shri

**NOES**

Achal Singh, Shri
Achuthan, Shri
Akkamma Devi, Shrimati
Alagesan, Shri
Alva, Shri A. S.
Alvares, Shri
Aney, Dr. M. S.
Anjanappa, Shri
Ankineedu, Shri
Arunachalam, Shri
Asad, Shri Bhagwat Jha
Babunath Singh, Shri
Bakliwal, Shri
Bal Krishna Singh, Shri
Bala krishnan, Shri
Balmiki, Shri
Banerjee, Shri S. M.
Banerjee, Dr. R.
Barkataki, Shrimati Renuka
Barman, Shri P. C.
Barua, Shri Hem
Barua, Shri R.
Basumatari, Shri P. L.
Basappa, Shri
Biswas, Shri
Biswas, Shri
Biswas

Dorai, Shri Kasinatha
Dubey, Shri R. G.
Dwivedi, Shri M. L.
Dwivedy, Shri Surendranath
Elayaperumal, Shri
Ellas, Shri Mohammad
Ering, Shri D.
Firodia, Shri
Gahmari, Shri
Gajraj Singh Rao, Shri
Ganapati Ram, Shri
Gandhi, Shri V. B.
Ganga Devi, Shrimati
Ghosh, Shri Atulya
Ghosh, Shri N. R.
Goni, Shri Abdul Ghasi
Gopalan, Shri A. K.
Gounder, Shri Muthu
Govind Das, Dr.
Guha, Shri A. C.
Gupta, Shri Indrajit
Gupta, Shri Priya
Gupta, Shri Ram Ratan
Gupta, Shri Shiv Charan
Hajarnavis, Shri
Hansda, Shri Subodh
Hanumanthaiya, Shri
Haq, Shri M. M.
Harvani, Shri Ansar
Hazarika, Shri J. N.
Heda, Shri
Hem Raj, Shri
Himatsingka, Shri
Imbichibava, Shri
Iqbal Singh, Shri
Jadhav, Shri M. L.
Jadhav, Shri Tulshidas
Jagjivan Ram, Shri
Jain, Shri A. P.
Jamir, Shri S. G.
Jamunadevi, Shrimati
Jayaraman, Shri
Jedhe, Shri
Jena, Shri
Jha, Shri Yogendra
Joshi, Shri A. C.
Joshi, Shrimati Subhadra
Jyotishi, Shri J. P.
Kabir, Shri Humayun
Kadadi, Shri
Kajrolkar, Shri
Kamath, Shri Hari Vishnu
Kamble, Shri
Kanakasabai, Shri
Kandappan, Shri S.
Kanungo, Shri
Kappen, Shri
Kar, Shri Prabhat
Karuthiruman, Shri
Kayal, Shri P. N.
Kedaria, Shri C. M.
Keishing, Shri Rishang
Khadilkar, Shri
Khan, Dr. P. N.
Khan, Shri Osman Ali
Khan, Shri Shahnawaz
Khanna, Shri Mehr Chand
Khanna, Shri P. K.
Kindar Lal, Shri
Kisan Veer, Shri
Kotoki, Shri Liladhar
Koujalgi, Shri H. V.
Kripa Shankar, Shri
Krishna, Shri M. R.
Krishnamachari, Shri T. T.
Kunhan, Shri P.
Kureel, Shri B. N.
Lakhan Das, Shri
Lakshmikanthamma, Shrimati
Lalit Sen, Shri
Laskar, Shri N. R.
Laxmi Bai, Shrimati
Laxmi Dass, Shri
Lonikar, Shri
Mahadeva Prasad, Dr.
Mahtab, Shri
Mahato, Shri Bhajahari
Mahishi, Dr. Sarojini
Maimoona Sultan, Shrimati
Majithia, Shri
Malaichami, Shri
Malhotra, Shri Inder J.
Malliah, Shri U. S.
Mallick, Shri Rama Chandra
Manaen, Shri
Mandal, Dr. P.
Mandal, Shri J.
Mandal, Shri Yamuna Prasad
Maniyangadan, Shri
Manoharan, Shri
Mantri, Shri
Marandi, Shri
Maruthiah, Shri
Masuriya Din, Shri
Matcharaju, Shri
Mate, Shri
Mathur, Shri Harish Chandra
Mehdi, Shri S. A.
Mehta, Shri J. R.
Melkote, Dr.
Menon, Shri Krishna
Menon, Shri P. G.
Minimata, Shri
Mirza, Shri Bakar Ali
Mishra, Shri Bibhuti
Mishra, Shri Bibudhendra
Mishra, Shri M. P.
Misra, Dr. U.
Misra, Shri Mahesh Dutta
Misra, Shri Shyam Dhar
Mohanty, Shri Gokulananda
Mohiuddin, Shri
Mohsin, Shri
Morarka, Shri
More, Shri K. L.
More, Shri S. S.
Muhammad Ismail, Shri
Mukane, Shri
Mukerjee, Shri H. N.
Mukerjee, Shrimati Sharda
Munsni, Shri David
Murli Manohar, Shri
Murthy, Shri B. S.
Murti, Shri M. S.
Musafir, Shri G. S.
Naidu, Shri V. G.
Naik, Shri D. J.
Nair, Shri N. Sreekantan
Nair, Shri Vasudevan
Nallakoya, Shri
Nambiar, Shri
Nanda, Shri
Nayak, Shri Mohan
Nayar, Dr. Sushila
Nigam, Shrimati Savitri
Oza, Shri
Paliwal, Shri
Pande, Shri K. N.
Pandey, Shri R. S.
Pandey, Shri Sarjoo
Pandey, Shri Vishwa Nath
Pasna Lal, Shri
Pant, Shri K. C.
Parashar, Shri
Patel, Shri Chhotubhai
Patel, Shri Man Sinh P.
Patel, Shri N. N.
Patel, Shri P. R.
Patel, Shri Rajeshwar
Patil, Shri D. S.
Patil, Shri J. S.
Patil, Shri M. B.
Patil, Shri S. B.
Patil, Shri S. K.
Patil, Shri T. A.
Patil, Shri Vasantrao
Patnaik, Shri B. C.
Pattabhi Raman, Shri C. R.
Pillai, Shri Natarajs
Pottekkatt, Shri
Prabhakar, Shri Naval
Pratap Singh, Shri
Puri, Shri D. D.
Raghunath Singh, Shri
Raghuramaiah, Shri
Rai, Shrimati Sahodrabai
Raj Bahadur, Shri
Raja, Shri C. R.
Rajaram, Shri
Rajdeo Singh, Shri
Raju, Dr. D. S.
Raju, Sfri D. B.
Ram, Shri T.
Ram Sewak, Shri
Ram Subhag Singh, Dr.
Ram Swarup, Shri

Ramakrishnan, Shri P. R.
Ramanathan Chettiar, Shri
Ramaswamy, Shri S. V.
Ramaswamy, Shri V. K.
Ramdhani Das, Shri
Rampure, Shri M.
Rananjai Singh, Shri
Rane, Shri
Ranga Rao, Shri
Ranjit Singh, Shri
Rao, Dr. K. L.
Rao, Shri Hanmanth
Rao, Shri Jagannatha
Rao, Shri Krishnamoorthy
Rao, Shri P. Madhusudan
Rao, Shri Muthyal
Rao, Shri Rajagopala
Rao, Shri Ramapathi
Rao, Shri Rameshwar
Rao, Shri Thirumala
Rattan Lal, Shri
Raut, Shri Bhola
Rawandale, Shri
Ray, Shrimati Renuka
Reddi, Dr. B. Gopala
Reddiar, Shri
Reddy, Shri Narayan
Reddy, Shri Ramakrishna
Reddy, Shrimati Yashoda
Roy, Dr. Saradish
Roy, Shri Bishwanath
Sadhu Ram, Shri
Saha, Dr. S. K.
Sahu, Shri Rameshwar
Saigal, Shri A. S.
Samanta, Shri S. C.
Samnani, Shri
Saraf, Shri Sham Lal
Sarma, Shri A. T.
Satyabhama Devi, Shrimati
Sen, Dr. Ramen
Sen, Shri A. K.
Sen, Shri P. G.
Seth, Shri Bishanchander
Sezhiyan, Shri
Shah, Shri Manabendra
Shah, Shri Manubhai
Shah, Shrimati Jayaben
Shakuntala Devi, Shrimati
Sham Nath, Shri
Shankaraiya, Shri
Sharma, Shri A. P.
Sharma, Shri K. C.
Shashi Ranjan, Shri
Shastri, Shri Lal Bahadur
Shastri, Shri Ramanand
Sheo Narain, Shri
Shinde, Shri
Shivananjappa, Shri
Shree Narayan Das, Shri
Shukla, Shri Vidya Charan
Siddananjappa, Shri
Siddiah, Shri
Sidheshwar Prasad, Shri
Singh, Shri D. N.
Singh, Shri K. K.
Singh, Shri R. P.
Singha, Shri G. K.
Sinha, Shri Satya Narayan
Sinha, Shrimati Ramdulari
Sinha, Shrimati Tarkeshwari
Sinhasan Singh, Shri
Sivappraghasaan, Shri Ku
Sivasankaran, Shri
Sonavane, Shri
Soundaram Ramachandran, Shrimati
Srinivasan, Dr. P.
Subbaraman, Shri
Subramaniam, Shri C.
Subramanyam, Shri T.
Sumat Prasad, Shri
Sunder Lal, Shri
Surendra Pal Singh, Shri
Swamy, Shri M. N.
Swamy, Shri M. P.
Swaran Singh, Shri
Swell, Shri
Tantia, Shri Rameshwar
Thengondar, Shri
Thevar, Shri V.
Thimmaiah, Shri
Thomas, Shri A. M.
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Tiwary, Shri R. S.
Tombi, Shri
Tripathi, Shri Krishna Deo
Tyagi, Shri
Uikey, Shri
Ulaka, Shri Ramachandra
Umanath, Shri
Upadhyaya, Shri Shiva Dutt
Vaishya, Shri M. B.
Valvi, Shri
Varma, Shri M. L.
Varma, Shri Ravindra
Veerabasappa, Shri
Veerappa, Shri
Venkaiah, Shri Kolla
Venkatasubbaiah, Shri P.
Verma, Shri Balgovind
Verma, Shri K. K.
Vidyalankar, Shri A. N.
Vijaya Ananda, Maharajkumar
Vimla Devi, Shrimati
Virbhadra Singh, Shri
Vishram Prasad, Shri
Vyas, Shri Radhelal
Wadiwa, Shri
Warior, Shri
Wasnik, Shri Balkrishna
Yadab, Shri N. P.
Yadav, Shri Ram Harkh
Yadava, Shri B. P.
Yusuf, Shri Mohammad

**Mr. Speaker:** The result of the division is "Ayes" 32, "Noes" 387.

Ayes: 32; Noes 387.

*The amendment was negatived.*

**16.00 hrs.**

**Mr. Speaker:** The question is:

"That the Bill further to amend the Constitution of India, be taken into consideration."

*The Lok Sabha divided:*

**The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath):** Sir, the machine here did not work.

**Mr. Speaker:** What was wrong with it?

**Shri Sham Nath:** I do not know. Sir, I am for "Ayes".

**Dr. B. Gopala Reddi (Kavali):** It is not functioning.

**Division No. 3]** **AYES** **[16.02 hrs.**

Achal Singh, Shri
Achuthan, Shri
Akkamma Devi, Shrimati
Alagesan, Shri
Alva, Shri A. S.
Alva, Shri Joachim
Alvares, Shri
Aney, Dr. M. S.
Anjanappa, Shri
Ankineedu, Shri
Arunachalam, Shri
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Bakliwal, Shri
Bal Krishna Singh, Shri
Balakrishnan, Shri
Balmiki, Shri
Banerjee, Shri S. M.
Banerjee, Dr. R.
Barkataki, Shrimati Renuka
Barman, Shri P. C.
Barua, Shri Hem
Barua, Shri R.
Barupal, Shri P. L.
Basappa, Shri
Basumatari, Shri
Baswant, Shri
Bhagat, Shri B. R.
Bhagavati, Shri
Bhakt Darshan, Shri
Bhanu Prakash Singh, Shri
Bhargava, Shri M. B.
Bhatkar, Shri
Bhattacharyya, Shri C. K.
Bist, Shri J.B.S.
Boroosh, Shri P. C.
Brahm Prakash, Shri
Brajeshwar Prasad, Shri
Brij Basi Lal, Shri
Brij Raj Singh Kotah, Shri
Chakraverti, Shri P. R.
Chanda, Shrimati Jyotsna
Chandak, Shri
Chandrasekhar, Shrimati
Chandrabhan Singh, Shri
Chandriki, Shri
Chatterjee, Shri H. P.
Chaturvedi, Shri S. N.
Chaudhry, Shri C. L.
Chaudhuri, Shri D. S.
Chaudhuri, Shri Sachindra
Chaudhuri, Shri Tridib Kumar
Chaudhuri, Shrimati Kamala
Chavan, Shri D. R.
Chavan, Shri Y. B.
Chavda, Shrimati Johrab en
Chuni Lal, Shri
Daji, Shri
Daljit Singh, Shri
Das, Dr. M. M.
Das, Shri B. K.
Das, Shri N. T.
Das, Shri Sudhansu
Dasappa, Shri
Dass, Shri G.
Deo Bhanj, Shri P. C.
Desai, Shri Morarji
Deshmukh, Dr. P. S.
Deshmukh, Shri B. D.
Deshmukh, Shri Shivaji Rao S.
Dey, Shri S. K.
Dharamalingam, Shri
Dhuleshwar Meena, Shri
Dighe, Shri
Dinesh Singh, Shri
Dixit, Shri G. N.
Dorai, Shri Kasinatha
Dubey, Shri R. G.
Dwivedi, Shri M. L.
Dwivedy, Shri Surendranath
Elayaperumal, Shri
Elias, Shri Mohammad
Ering, Shri D.
Firodia, Shri
Gahmari, Shri
Gajraj Singh Rao, Shri
Ganapati Ram, Shri
Gandhi, Shri V. B.
Ganga Devi, Shrimati
Ghosh, Shri Atulya
Ghosh, Shri N. R.
Goni, Shri Abdul Ghani
Gopalan, Shri A. K.
Gounder, Shri Muthu
Govind Das, Dr.
Guha, Shri A. C.
Gupta, Shri Indrajit
Gupta, Shri Kashi Ram
Gupta, Shri Priya
Gupta, Shri Ram Ratan
Gupta, Shri Shiv Charan
Hajarnavis, Shri
Hansda, Shri Subodh
Hanumanthaiya, Shri
Haq, Shri M. M.
Harvani, Shri Ansar
Hazarika, Shri J. N.
Heda, Shri
Hem Raj, Shri
Himatsingka, Shri
Imbichibava, Shri
Iqbal Singh, Shri
Jadhav, Shri M. L.
Jadhav, Shri Tulshidas
Jagjivan Ram, Shri
Jain, Shri A. P.
Jamir, Shri S. G.
Jamunadevi, Shrimati
Jayaraman, Shri
Jedhe, Shri
Jena, Shri
Jha, Shri Yogendra
Joshi, Shri A. C.
Joshi, Shrimati Subbhadra
Jyotishi, Shri J. P.
Kabir, Shri Humayun
Kadadi, Shri
Kajrolkar, Shri
Kakkar, Shri Gauri Shanker
Kamath, Shri Hari Vishnu
Kamble, Shri
Kanakasabai, Shri
Kandappan, Shri S.
Kanungo, Shri
Kappen, Shri
Kar, Shri Prabhat
Karuthiruman, Shri
Kayal, Shri P. N.
Kedaria, Shri C. M.
Keishing, Shri Rishang
Khadilkar, Shri
Khan, Dr. P. N.
Khan, Shri Osman Ali
Khan, Shri Shahnawaz
Khanna, Shri Mehr Chand
Khanna, Shri P. K.
Kindar Lal, Shri
Kisan Veer, Shri
Kotoki, Shri Liladhar
Koujalgi, Shri H. V.
Kripa Shankar, Shri
Krishna, Shri M. R.
Krishnamachari, Shri T. T.
Kunhan, Shri P.
Kureel, Shri B. N.
Lakhan Das, Shri
Lakshmikanthamma, Shrimati
Lalit Sen, Shri
Laskar, Shri N. R.
Laxmi Bai, Shrimati
Laxmi Dass, Shri
Lonikar, Shri
Mahadeo Prasad, Shri
Mahtab, Shri
Mahato, Shri Bhajahari
Mahishi, Dr. Sarojini
Maimoona Sultan, Shrimati
Majithia, Shri
Malaichami, Shri
Malhotra, Shri Inder J.
Malliah, Shri U. S.
Mallick, Shri Rama Chandra
Mansen, Shri

Mandal, Dr. P.
Mandal, Shri J.
Mandal, Shri Yamuna Prasad
Maniyangadan, Shri
Manoharan, Shri
Mantri, Shri
Marandi, Shri
Maruthiah, Shri
Masuriya Din, Shri
Matcharaju, Shri
Mathur, Shri Harish Chandra
Mehdi, Shri S. A.
Mehta, Shri J. R.
Melkote, Dr.
Mengi, Shr Gopal Datt
Menon, Shri Krishna
Menon, Shri P. G.
Minimata, Shri
Mirza, Shri Bfkar Ali
Mishra, Shri Bibhuti
Mishra, Shri Bibudhendra
Mishra, Shri M. P.
Misra, Dr. U.
Misra, Shri Mahesh Dutta
Misra, Shri Shyam Dhar
Mohanty, Shri Gokulananda
Mohiuddin, Shri
Mohsin, Shri
Morarka, Shri
More, Shri K. L.
More, Shri S. S.
Muhammad Ismail, Shri
Mukane, Shri
Mukerjee, Shri H. N.
Mukerjee, Shrimati Sharda
Munzni, Shri David
Murli Manohar, Shri
Murthy, Shri B. S.
Murti, Shri M. S.
Musafir, Shri G. S.
Naidu, Shri V. G.
Naik, Shri D. J.
Nair, Shri N. Sreekanatan
Nair, Shri Vasudevan
Nallakoya, Shri
Nambiar, Shri
Nanda, Shri
Nayak, Shri Mohan
Nayar, Dr. Sushila
Nigam, Shrimati Savitri
Oza, Shri
Paliwal, Shri
Pande, Shri K. N.
Pandey, Shri R. S.
Pandey, Shri Sarjoo
Pandey, Shri Vishwa Nath
Panna Lal, Shri
Pant, Shri K. C.
Parashar, Shri
Patel, Shri Chhotubhai
Patel, Shri Man Sinh P.
Patel, Shri N. N.
Patel, Shri P. R.
Patel, Shri Rajeshwar
Patil, Shri D. S.
Patil, Shri J. S.
Patil, Shri M. B.
Patil, Shri S. B.
Patil, Shri S. K.
Patil, Shri T. A.
Patil, Shri Vasantrao
Patnaik, Shri B. C.
Pattabhi Raman, Shri C. R.
Pillai, Shri Nataraja
Pottekkatt, Shri
Prabhakar, Shri Naval
Pratap Singh, Shri
Puri, Shri D. D.
Raghunath Singh, Shri
Raghuramaiah, Shri
Rai, Shrimati Sahodrabai
Raj Bahadur, Shri
Raja, Shri C. R.
Rajaram, Shri
Rajdeo Singh, Shri
Raju, Dr. D. S.
Raju, Shri D. B.
Ram, Shri T.
Ram Sewak, Shri
Ram Subhag Singh, Dr.
Ram Swarup, Shri
Ramabadran, Shri
Ramakrishnan, Shri P. R.
Ramanathan Chettiar, Shri
Ramaswamy, Shri S. V.
Ramaswamy, Shri V. K.
Ramdhani Das, Shri
Rampure, Shri M.
Rananjai Singh, Shri
Rane, Shri
Ranga Rao, Shri
Ranjit Singh, Shri
Rao, Dr. K. L.
Rao, Shri Hanmanth
Rao, Shri Jaganatha
Rao, Shri Krishnamoorthy
Rao, Shri E. Madhusudan
Rao, Shri Muthyal
Rao, Shri Rajagopala
Rao, Shri Ramapathi
Rao, Shri Rameshwar
Rao, Shri Thirumala
Rattan Lal, Shri
Raut, Shri Bhola
Rawandale, Shri
Ray, Shrimati Renuka
Reddi, Dr. B. Gopala
Reddiar, Shri
Reddy, Shri Narayan
Reddy, Shri Ramakrishna
Reddy, Shrimati Yashoda
Roy, Dr. Saradish
Roy, Shri Bishwanath
Sadhu Ram, Shri
Saha, Dr. S. K.
Sahu, Shri Rameshwar
Saigal, Shri A. S.
Samanta, Shri S. C.
Samnani, Shri
Saraf, Shri Sham Lal
Sarma, Shri A. T.
Satyabhama Devi, Shrimati
Sen, Dr. Ranen
Sen, Shri A. K.
Sen, Shri P. G.
Sezhiyan, Shri
Shah, Shri Manabendra
Shah, Shri Manubhai
Shah, Shrimati Jayaben
Shakuntala Devi, Shrimati
Shankaraiya, Shri
Sharma, Shri A. P.
Sharma, Shri D. C.
Sharma, Shri K. C.
Shashi Ranjan, Shri
Shastri, Shri Lal Bahadur
Shastri, Shri Ramanand
Sheo Narain, Shri
Shinde, Shri
Shivananjappa, Shri
Shree Narayan Das, Shri
Shukla, Shri Vidya Charan
Siddananiappa, Shri
Siddiah, Shri
Sidheshwar Prasad, Shri
Singh, Shri D. N.
Singh, Shri K. K.
Singh, Shri R. P.
Singha, Shri G. K.
Singha, Shri Satya Narayan
Sinha, Shrimati Ramdulari
Sinha, Shrimati Tarkeshwari
Sinhasan Singh, Shri
Sivappraghassan, Shri Ku
Sivasankaran, Shri
Sonavane, Shri
Soundaram Ramachandran, Shrimati
Srinivasan, Dr. P.
Subbaraman, Shri
Subramaniam, Shri C.
Subramanyam, Shri T.
Sumat Prasad, Shri
Sunder Lal, Shri
Surendra Pal Singh, Shri
Swamy, Shri M. N.
Swamy, Shri M. P.
Swaran Singh, Shri
Swell, Shri
Tantia, Shri Rameshwar
Thengondar, Shri
Thevar, Shri V.
Thimmaiah, Shri
Thomas, Shri A. M.
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Tiwary, Shri R. S.
Tombi, Shri
Tripathi, Shri Krishna [illegible]

Tyagi, Shri
Uikey, Shri
Ulaka, Shri Ramachandra
Umanath, Shri
Upadhyaya, Shri Shiva Dutt
Vaishya, Shri M. B.
Valvi, Shri
Varma, Shri M. L.
Varma, Shri Ravindra
Veerabasappa, Shri
Veerappa, Shri
Venkaiah, Shri Kolla
Venkatasubbaiah, Shri P.
Verma, Shri Balgovind
Verma, Shri K. K.
Vidyalankar, Shri A. N.
Vijaya Ananda, Mahatajkumar
Vimla Devi, Shrimati
Virbhadra Singh, Shri
Vishram Prasad, Shri
Vyas, Shri Radhelal
Wadiwa, Shri
Warior, Shri
Wasnik, Shri Balkrishna
Yadab, Shri N. P.
Yadav, Shri Ram Harkh
Yadava, Shri B. P.
Yusuf, Shri Mohammad

## NOES

Bade, Shri
Besant Kunwari, Shrimati
Berwa, Shri Onkar Lal
Bheel, Shri P. H.
Buta Singh, Shri
Deo, Shri P. K.
Ghosh, Shri P. K.
Gulshan, Shri
Kachhavaiya, Shri Hukam Chand
Kapur Singh, Shri
Karni Singhji, Shri
Kohor, Shri
Krishnapal Singh, Shri
Mahananda, Shri
Masani, Shri M. R.
Rajyalaxmi, Shrimati
Ram Singh, Shri
Ranga, Shri
Reddy, Shri Narasimha
Seth, Shri Bishanchander
Shashank Manjari, Shrimati
Shastri, Shri Prakash Vir
Singh, Dr. B. N.
Singh, Shri Y. D.
Singha, Shri Y. N.
Singhvi, Dr. L. M.
Solanki, Shri
Utiya, Shri
Vijaya Raje, Shrimati
Yashpal Singh, Shri

**Mr. Speaker:** The result of the division is:

Ayes 389; Noes 30.

The motion is carried by a majority of total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

*The motion was adopted.*

**Clause 2—(*Amendment of article 31A*).**

**Mr. Speaker:** Now we take up clause-by-clause consideration of the Bill.

**Dr. L. M. Singhvi:** Sir, I move:

(i) Page 1, line 13,—
(i) *omit* "for the time being";
(ii) *after* "in force" *insert*—
"on the 25th day of March, 1964." (4).

(ii) Page 2,—
*for* lines 11 to 16, *substitute*—
"(ii) any waste land, forest land and land for pasture;
(iii) any land held under ryotwari settlement and any land held or let for purposes of agriculture or for purposes ancillary thereto:

Provided that such land is required to be given to cultivators and agricultural labourers so that they acquire self-cultivating proprietary rights over the same.". (6).

**Shri Kashi Ram Gupta:** Sir, I move:—

Page 1, line 13,—
(i) *omit* "for the time being".
(ii) *after* "in force", *insert*—
"on the date on which the Constitution (Nineteenth Amendment) Act, 1964 comes into force". (5).

**Shri A. P. Jain** (Tumkur): I move my amendment No. 10.

**Mr. Speaker:** Amendment No. 10 is not to this clause.

**Shri A. S. Alva** (Mangalore): Sir, I move:—

Page 1, lines 10 and 11,—
*omit* "under his personal cultivation". (3).

**Shri P. R. Patel** (Patan): Sir, I move:—

Page 1, line 9,—
*after* "acquisition", *insert*—
"or diminishing interest of a land-holder" (31).

Page 2,—
*after* line 16, *insert*—
"Provided that notwithstanding anything contained in any

law, sugar-cane, coffee and tea farms etc. proposed to be exempted from ceiling in Third Five Year Plan, shall be exempted from ceiling." (32).

**Mr. Speaker:** All these amendments are now before the House.

**Dr. L. M. Singhvi:** Sir, in support of my amendments, Nos. 4 and 6, I wish to draw the attention of the House to the fact that the language of clause 2.....(*Interruption*).

**Mr. Speaker:** Of course, it would be a job for hon. Members but they have to remain silent and listen to the proceedings now.

**Shri Hem Barua** (Gauhati): They turn their backs also.

**Shri M. R. Masani:** That shows their interest in the debate.

**Dr. L. M. Singhvi:** While supporting my amendments Nos. 4 and 6 I wish to submit that the language of clause 2 epitomises equivocation; in particular, I would like to draw the attention of the House to the language used in line 13 wherein it is said, namely,—

> "it shall not be lawful for the State to acquire any portion of such land as is within the ceiling limit applicable to him under any law for the time being in force".

I should like to know from the hon. Law Minister what this expression, "the law for the time being in force" connotes. If he does not wish to carry equivocation into this clause, we would like to know whether he would be willing to concede that there is a certain point of time to which this particular phrase necessarily refers. I submit that it would be appropriate to insert here a specific date, namely, the 25th day of March, 1964, because it is only up to this date that we knew such legislation as had been enacted by State legislatures. To legitimise or to make a reference to any laws that may be passed in future by the State legislatures is a travesty of the legal process.

**Mr. Speaker:** Just one second, if he would allow me. We discuss these amendments to clause 2 and after this clause we shall take up clause 3 and discuss the amendments to that clause. Voting will take place at the end of the discussion for both the clauses when we have finished all the amendments.

**Dr. L. M. Singhvi:** I submit that it would be proper for the Law Minister either to specify the date and the time which this expression refers to or to accept the amendment that I have sought to move because in leaving this question open, I think, he would be allowing equivocation to prevail.

**16.07 hrs.**

[MR. DEPUTY-SPEAKER *in the Chair.*]

I hope that he would be willing to accept this date because it is only this date for which we can own any responsibility. To protect future unborn legislation is as offensive as it is to enact retrospective legislation. I would therefore, appeal to the House to accept this date as the point of time to which the phrase "laws for the time being in force" refers.

**Shri Kashi Ram Gupta:** Mr. Deputy-speaker, Sir, my amendment No. 5 is a little different from Dr. Singhvi's amendment. There are certain Acts which, we have come to know by experience, are defective. When the Government claims that they want to function in the proper way, we should give them latitude to this extent that after this Bill comes into force no such Act should be amended. That is my suggestion. I can cite many examples. The Assam Ceiling Act has been a model and other Acts have been turned down by the High Courts on the ground of one defect or another. Some time back Dr. Singhvi was citing the Madras Act where the definition of "family" has been found to be very wrong. Therefore, in such cases this Government which claims to have land reforms should have sufficient time to amend such Acts. There are certain Acts which are called Ceiling Acts but which actually

[Shri Kashi Ram Gupta]

go against the interests of the tenants and the cultivators. The Punjab Act is there. So, in my opinion, the State Governments must be given time.

The argument given by the Law Minister that the States are free to legislate does not hold good. Just a little time back the hon. Law Minister himself conceded that the States should have such a ceiling that a minimum must be guaranteed to the cultivator. So, when they define the minimum now, they should not change that minimum very often. That is the main difficulty. The people are afraid that this Government which talks of the minimum today may again change that minimum to a certain extent. And when the Law Minister says that the States are free to legislate, that fear is there. Therefore the States should not be free to legislate, at the same time, the States must be given time and latitude to amend those Acts according to the different decisions of the courts so that land reforms may be properly dealt with.

**Mr. Deputy-Speaker:** Shri P. R. Patel.

**Dr. L. M. Singhvi:** One moment more. I wanted to draw the attention of the House also to amendment No. 6 which I have moved in respect of which I have only this much to say.

**Mr. Deputy-Speaker:** You cannot make a second speech now. You have already spoken.

**Dr. L. M. Singhvi:** It is on clause 2. I will just add a few lines. This amendment No. 6 only wishes to pin down the Government to its own protestations and the claims which it has been making that it wishes to acquire land only for the purpose of distributing it to the landless people in order to give them self-proprietary cultivation rights. If that is so, then the Government should be prepared to accept this confining proviso to the powers they wish to appropriate to themselves, because the Government has been claiming that it is only for this purpose that they wish to enact this legislation. If that is so and if we are permitted to take them on their word, there should be no objection by the Government in accepting this proposition as it is contained in amendment No. 6.

**Shri Kashi Ram Gupta:** Sir, I want to speak on this amendment.

**Mr. Deputy Speaker:** You have already spoken.

**Shri Kashi Ram Gupta:** On this particular amendment No. 6 I have not spoken. My name is also along with Dr. L. M. Singhvi. Because first it is in the name of Dr. L. M. Singhvi, I could not speak at that time. Now that he has spoken on it, I also want to say a few words.

I support Dr. Singhvi's amendment and I want to draw the attention of the Law Minister to the fact that if he accepts this amendment, it will, more or less, put the things in a proper way. The forests and all these things can be managed by the Government in all ways. Therefore, that must be given priority. While the other definitions are there and the proviso has been given at the end just to legislate clearly that it will be given only to landless cultivators. The difficulty is that the people are afraid of one thing that the Government may give this land to those people who may call themselves as cultivators and in a compulsory way. That is the main objection. Therefore, I suggest that the Law Minister should accept this and if this is accepted, all the ambiguity and confusion will be removed.

**Shri A. S. Alva:** As far as my amendment is concerned, that is, the deletion of words "under his personal cultivation", on page 1, lines 10 and 11 that is to say, in respect of the land within the ceiling a person must be given compensation whether he is in possession of it or not. The very idea of ceiling is that

a person could possess so much land and specially in the southern parts where the land legislation has come into force under certain Acts, it is not possible for the landlords to take possession of land as long as the tenant was paying the rent. So, practically from 1952-53, onwards, it was not possible for any person to get back the land. So, within the ceiling limits, I submit, it must be possible for a person to get market value of land whether he is in possession or not the Government may accept this amendment. I do not want market value in respect of property above the ceiling. As far as the ceiling is concerned, I think the Government can consider that fair compensation must be given to those persons also who are not actually cultivating those lands.

**Shri Surendranath Dwivedy:** I would like to support Dr. Singhvi's amendment No. 4 and I think the Law Minister would have no objection to accept it. If I remind him, this question was also raised in the course of the discussions in the Joint Select Committee as to what would happen about the future legislations. We are all in support of the Bill. But let there not be any ambiguity so far as the purpose of the Bill is concerned. In his amendment, he has suggested a particular date and I again request the Law Minister to accept that amendment.

**Shri Krishnapal Singh** (Jalesar): For the last half a century, almost all experts on agriculture and on land policy have been laying emphasis on the prevention of fragmentation and the retention of economic holdings and now, all of a sudden, we find that the people have been forced to create uneconomic holdings. The reason given for this purpose is that land is being transferred to the landless people. Now, I wish to ask those people who have put forward this theory. Do they think that it well ever be possible to provide every citizen in the country with land? Just apply this argument for a moment's sake to a factory owner. It will never be possible to provide one factory to every labourer there. It is absurd. The pressure on land has been increasing from year to year. All the artisans and the working classes who have lost their profession have taken to agriculture and this is one of the reason why production in the agricultural sector has fallen. Everybody wants to become an agriculturist. Just like everybody cannot be a successful factory owner, everybody cannot be a successful agriculturist.

Now, the other reason which I wish to give against this policy of imposing ceiling and reducing the size of land holding is that the agricultural production has gone down. I say, take the average holding. That is the type of holding which is neglected more than anything else because the owner or the holder of that land knows that he cannot eke out a living on it.

**Mr. Deputy Speaker:** The hon. Member should speak on the amendment.

**Shri Krishnapal Singh:** Yes, Sir. I am dealing with the question of ceiling. I want to make sure that the Government will not reduce the ceiling and this is what I am trying to emphasise.

**Shri Ranga:** We are opposed to the whole Bill. He is speaking on the clause 2 as a whole.

**Mr. Deputy Speaker:** His remarks should confine to the amendment.

**Shri Ranga:** We are opposing the clause as a whole. We oppose the whole principle underlying the clause.

**Shri Krishnapal Singh:** From the economic point of view, we find that the imposition of a ceiling, instead of increasing production, has led to decreasing production.....

**Shri A. K. Sen:** On a point of order, Sir. I hate to interrupt the hon. Member but I have to, from the sense of duty, raise a point of order. Is it permissible, while dealing with the clause-by-clause consideration, to raise general principles which we have to deal with only at the consideration stage? This is a pure matter of the principle itself.

**Shri Ranga:** It is the clause as a whole.

**Shri A. K. Sen:** What is the amendment on which he is speaking?

**Shri Krishnapal Singh:** I am speaking on the clause itself.

**Mr. Deputy-Speaker:** The hon. Member should be brief.

**Shri Krishnapal Singh:** What I was saying is this. Even in the evidence that was placed before the Joint Select Commitee, one of the witnesses pointed out that at one time in America about 50 per cent of the population had taken to agriculture and afterwards when industrialisation of the country started, that proportion was reduced with the result that the yield from the land increased enormously. So, this idea which has taken root into the minds of the people that by reducing the size of holding they can increase production in agriculture is very fallacious. They can never do it.

The other point which is very relevant and which was brougt before the Joint Select Committee, as you know, was the discrimination between property in urban areas and property in rural areas.

**Mr. Deputy-Speaker:** We are not concerned with all that now.

**Shri Krishnapal Singh:** I may mention what the ceiling would mean....

**Shri Ranga:** Let him be allowed to develop his point.

**Shri Krishnapal Singh:** You cannot restrain the people's feelings. If you impose ceiling on one type of property, there is bound to be bitterness among the people belonging to that class, and that is what this legislation is bound to do.

I, therefore, hope that for the present at least Government will decide that the size of the holding which has already been reduced to uneconomic sizes will not be further cut down, and I hope that they will accept Dr. L. M. Singhvi's very modest amendment.

**Mr. Deputy-Speaker:** The hon. Minister is replying now?

**Shri U. M. Trivedi:** It was said that he would not reply just now, but he will reply to the debate on both the clauses together.

**Mr. Deputy-Speaker:** If he wants to reply, he can reply.

**Shri A. K. Sen:** Just as you please.

**Shri U. M. Trivedi:** Let him reply to all the amedments together.

**श्री यशपाल सिंह** : उपाध्यक्ष महोदय, माननीय श्री सिंघवी ने जो संशोधन पेश किया है, मैं उसका समर्थन करने के लिये खड़ा हुआ हूं। आज जो सीलिंग है कल गवर्नमेंट उस सीलिंग को खत्म कर सकती है। पंजाब में अलग है, यू० पी० में अलग है, बंगाल में अलग है। आज जो सीलिंग है उसके लिये हम लोग खड़े हुए हैं। जिस समय सीलिंग का कानून आया था उस वक्त भी यह बात कही गई थी, लेकिन हमसे यह वादा किया गया था कि चालीस साल तक कोई और नया रिफार्म नहीं आयेगा। आज हम देखते हैं कि वह आया है। मगर नया रिफार्म जो आता है उससे न काश्तकार को फायदा होता है न देश की जनता को होता है और न टेनेन्ट को होता है। इससे सरकार को थोड़ा बहुत फायदा जरूर हो जाता है लेकिन जब तक सरकार यह नहीं समझेगी कि किसान के फायदे में सरकार का फायदा है तब तक देश की तरक्की नहीं हो सकती।

इतने लैंड रिफार्म्स आप लाये हैं सोलह सालों में, लेकिन लैंड रिफार्म्स से पैदावार घटी है, अनाज की पैदावार इतनी घटी है कि करोड़ों आदमी आज भी ऐसे पड़े हुए हैं कि अगर आपको अमरीका खाने के लिये न देता तो वे लोग भूखे मर जाते। आज स्वतन्त्रता की परिभाषा गलत समझी जाती है। गांधी जी ने कहा था कि स्वतन्त्र भारत में किसान का लगान देना माफ किया जायेगा। जो पांच एकड़ से कम का किसान है उसकी लगान माफ की जायेगी और उसको फुल राइट्स दिये जायेंगे। उसके हकूक को कोई छीनेगा नहीं। जो गरीब आदमी को तबाह करेगा, किसान को परेशान करेगा उसको बरदाश्त नहीं किया जायेगा। आज राजे महाराजों का प्रश्न नहीं है, वह तो चले गये। कोई तरीका नहीं है जिससे वह राजे महाराजे दुबारा वापस आयें, कोई सिस्टम नहीं है जिससे जमींदारी वापस आये। लेकिन आज जिस जमीन के साथ ३२ करोड़ लोगों का ताल्लुक है, और जो जमीन आज हरिजनों के पास है, मजदूरों के पास है, छोटे काश्तकारों के पास है, उसको छीनने के लिये सरकार योजना बना रही है। किसी देश के कानून में ऐसा नहीं होता है कि उसकी जनता के लिये कोर्ट्स का दरवाजा बन्द कर दिया जाये, लेकिन यह देश ऐसा है जहां ऐसा किया जा रहा है। यहां पर फांसी की सजा पाया हुआ जो मुलजिम है उसको भी अगर अदालत सजा देती है या फांसी देती है और वह अपील करना चाहता है तो उसको इसका हक दिया जाता है। चोर जो सजा पाता है उसको भी हक दिया जाता है इस बात का, लेकिन जो जमीन का जोतने वाला है, उसको कोई हक नहीं दिया गया है कि वह अदालत में जा सके। बुरे से बुरे राज्य में भी ऐसा नहीं हुआ। रावण के राज्य में भी ऐसा नहीं हुआ कि किसी गरीब की जमीन को छीना जाये या उसका हक ले लिया जाये। किसी भी कांस्टिट्यूशन मे ऐसा नहीं हुआ है। लेकिन हमारी सरकार यह कर रही है। सरकार यह चाहती है कि वह छोटे लोगों को जमीन दे, तो मैं पूछना चाहता हूं कि सरकार की तरफ से हरिजनों के लिये कितनी जमीन का इन्तजाम किया गया है। हम लोगों ने दी है। हमारे राजा साहब रामगढ़ ने २५,००० एकड़ जमीन बगैर किसी मुआवजे के दी है। मैं खुद करता हूं कि चाहे मजदूर हो चाहे काश्तकार हो, चाहे हरिजन हो, उसके साथ मिल कर खाने के लिये मैं तैयार हूं। अगर मेरे पास पस एकड़ जमीन हो तो मैं ऐसे लोगों को आठ बीघे देने को तैयार हूं। दो बीघे अपने पास रखूंगा। लेकिन सरकार नहीं कह सकती कि उसने किसी शहर में, किसी गांव में, किसी परगने में या किसी तहसील में हरिजनों की, लेबरर की, एक्स्प्लायटेड मासेज की किसी कमी को पूरा किया है। सिर्फ इसलिये कि जनता उठ नहीं सकी है, एक्स्प्लायटेड मासेस उठ नहीं सकी है। इसलिये मैं यह कहने के खड़ा हुआ हूं कि मैं तहे दिल से इस बिल का विरोध करता हूं और जब तक यहां पर रहूंगा इसके खिलाफ लड़ता रहूंगा।

**Shri U. M. Trivedi:** I do not know whether the hon. Minister agrees to any of these amendments, amendment No. 4 or amendment No. 5.

**Shri A. K. Sen:** No.

**Shri U. M. Trivedi:** I do not know why he is not agreeing to them. He is a very learned man, and he ought to have looked into it and agreed to these proposals. There is nothing wrong in his agreeing to these amendments.

The proposition that is before us is this that after a protracted consideration in long sittings extending over a few days, we have come to this con-

[Shri U. M. Trivedi]

clusion that the proviso should read thus:

> "Provided further that where any law makes any provision for the acquisition by the State of any estate and where any land comprised therein is held by a person under his personal cultivation, it shall not be lawful for the State to acquire any portion of such land as is within the ceiling limit applicable to him under any law for the time being in force.....".

The use of this phrase 'for the time being in force' brings about a certain difficulty.

So far as the ceiling is concerned, the principle that we had agreed to was that land within the ceiling amount should not be taken away from any of the peasants, and if it was so taken away, it should be taken away under the Land Acquisition Act after paying compensation at the market value. We never wanted to deprive that landholder of his property. But then we had never conceived of this position where Government would say 'All right, here we agree to this, but we shall change the ceiling; today, if it is 30 acres, we shall take it 10 acres later on; then, we shall reduce it from 10 acres to 2 acres, and from 2 acres, we shall reduce it also to 1 acre, and under the law for the time being in force, the ceiling is only one acre, and, therefore, you can keep only 1 acre, and the rest will be acquired'. That was never the object which the Joint Committee had in view.

Therefore, I do not think that there is anything wrong or illegal in making this suggestion that the phrase 'for the time being in force' may be replaced by a phrase which will fix a certain date for the ceiling. The date may be as 25th March, 1964 or I would even agree to its being the date on which the Constitution (Nineteenth Amendment) Bill comes into force. I do not know why even that is not being agreed to. If there is something up the sleeve of the hon. Minister, he may kindly explain the position, why, a good and sound lawyer and a very reasonable man as he is; he feels hesitant to accept a very rational and reasonable approach in this law.

It is most essential that once we have fully considered the pros and cons of an amendment, and it has been brought into the picture by the Joint Committee, that which we have done must not be undone simply because some other thing is up the sleeve of the Government. In these circumstances, I would say that the amendment of my hon. friend may be accepted.

**Mr. Deputy-Speaker:** The hon. Minister may reply to the amendments on clause 2.

**Shri A. K. Sen:** We had debated upon this question in the Joint Committee on the last occasion. The purpose of introducing the safeguard was to bring a new provision into the Constitution, which was not there before. Before this proviso was introduced, the State Government had no limitation whatsoever; but they did not expropriate all cultivators who were owning land and cultivating it, the whole object being to preserve the right of the actual cultivators to enjoy lands within the ceiling which each State Government, having regard to the availability of land and the necessity of the case had chosen to fix.

As I explained on the last occasion, we are not here prescribing the ceilings, but we are only introducing a safeguard for the cultivator-owner, which safeguard there was not before and the States could, as Shri U. M. Trivedi has suggested, fix a ceiling of one acre or two acres only, and there was no limitation on the States in this regard. Even that one acre could have been taken over without payment of market value. So, this

safeguard we have introduced specifically and the hon. Members will remember we did it at the Select Committee stage in order to obviate the possibility, should there be any enthusiastic Government anywhere which would even take over the minimum of holdings without proper compensation. We thought it necessary to introduce the safeguard. I think it would be inappropriate to fix ceilings permanently here and now or in the Constitution itself. That would make it unalterable if the Constitution fixes it. We must leave some amount of flexibility to the State. There is no question that there must be some minimum faith in the wisdom of the legislature. As I said on that occasion, no legislature will be able to exist if it expropriated every cultivator from his land without payment of compensation. That is the reason a date would be inappropriate to be fixed in the Constitution itself. Even if a fair figure is to be fixed, it will be impossible to change. As I said, we are introducing a safeguard which was not there before. At that time it was welcome. Now you insist on a further safeguard where there is no need for it.

**Dr. L. M. Singhvi:** You will recall it was raised in the Select Committee, and therefore it is wrong to say that it should not be raised now. He should specifically answer as to what point of time he refers to.

**Shri A. K. Sen:** I am very sorry. Government finds it difficult to accept this amendment.

**Dr. L. M. Singhvi:** Give the reason.

**Shri M. R. Masani:** The reason is clear that they want to introduce collective farming.

**Shri A. K. Sen:** If I have not been able to convince them, I am sorry for it, but these are the reasons which have weighed with us and made it difficult for us to accept that.

Amendment No. 6 we cannot accept either, I am very sorry to say, because the proviso will make it completely open to litigation in every case, so that the courts will enquire in every case whether it would be necessary for the purpose of giving self-cultivating proprietory rights to the cultivator to whom the land is given. That would be opening the door to litigation for each pety case of giving land to the landless. It is impossible to accept this amendment.

**Mr. Deputy-Speaker:** We will take the vote later.

**Dr. L. M. Singhvi:** Before you proceed to a decision on this, we would like the Minister to clarify what point of time this legislation refers to. We are entitled to have a clarification. How can we possibly vote unless we get a clarification?

**Mr. Deputy-Speaker:** He has given the clarification. Has he anything further to say?

**Shri A. K. Sen:** I thought I had tried to give the clarification.

"For the time being in force" means any time in question which we take for the purpose of a particular case.

**Clause 3**—(*Amendment of Ninth Schedule*).

**Dr. L. M. Singhvi:**

Page 2,—

*omit* lines 21 to 23. (7)

Page 3,—

*omit* lines 14 to 15. (9)

Page 3,—

*omit* lines 16 and 17. (13)

Page 3,—

*omit* lines 18 to 20. (14)

Page 3,—

*omit* lines 21 and 22. (15)

[Dr. L. M. Singhvi]

Page 3,—

*omit* lines 23 and 24. (16)

Page 3,—

*omit* line 25. (17)

Page 4,—

*omit* line 1. (18)

Page 4,—

*omit* lines 2 and 3. (19)

Page 4,—

*omit* lines 15 and 16. (20)

Page 4,—

*omit* lines 21 and 22. (22)

Page 4,—

*omit* lines 23 and 24. (23)

Page 4,—

*omit* lines 25 and 26. (24)

Page 4,—

*omit* lines 27 and 28. (25)

Page 5,—

*omit* lines 3 and 4. (26)

Page 5,—

*omit* lines 5 and 6 (27)

Page 5,—

*omit* lines 13 and 14 (29).

**Shri Kashi Ram Gupta:** I beg to move:

Page 3,—

*omit* lines 9 and 10 (8)

Page 5,—

*omit* lines 11 and 12. (28)

Page 5,—

*after* line 22, *insert*—

"Provided that the respective States get these Acts removed from the list of this Schedule, within a reasonable time, after amending these Acts in the light of various courts decisions in regard to these Acts or changes made in unchallenged Acts on the basis of such decisions, except where the question of amendment does not arise on either basis." (30)

**Shri A. P. Jain:** I beg to move:

Page 3, line 15,—

*add* at the end—

"except in so far as this Act relates to an alienation referred to in sub-clause (d) of clause (3) of section 2 thereof." (10)

**Shri U. M. Trivedi:** I beg to move:

Page 4,—

*omit* lines 19 and 20. (21)

**Shri A. K. Sen:** May I inform the House that Government would accept amendment No. 10 moved by Shri A. P. Jain?

**Dr. L. M. Singhvi:** I would like to know whether you would like us to speak on each amendment separately.

**Mr. Deputy-Speaker:** The clause and all the amendments are before the House.

**Dr. L. M. Singhvi:** There are a large number of statutes to which these various amendments refer and I thought it would have been better perhaps to take them entrywise or itemwise.

**Mr. Deputy-Speaker:** All the amendments and clause are before the House.

**Dr. L. M. Singhvi:** Sir, this Constitutional amendment Bill carries with it an amazingly large labyrinthine catalogue of legislation which is sought to be protected by this amendment. I would, in the first place, like to give expression vehemently to my opposition to this wholesale approach to

legislation. It appears that a large number of legislative enactments were included in the Bill as originally introduced and now eventually as the Bill is before us because of the pressures brought upon the Union Government by the State Governments and the Planning Commission without proper consideration either by any agency of Parliament or even by the Planning Commission of all the detailed implications of each of these enactments which are sought to be included. I should like to illustrate this general proposition. For instance, I draw the attention of this House that in this inventory of legislative enactments, which I have called a hesitating inventory, sought to be appended to this Bill, is included enactments which have been struck down by the Supreme Court and High Courts as also laws never challenged in any court of law. It has in its midst laws which have nothing to do with any programme of land reform. I am very sorry to say that when the hon. Law Minister rose to reply to the debate on the general discussion he had neither the time, nor the inclination nor perhaps a compelling need of conscience which is, I think, the prerequisite of any sane parliamentary process to reply to the discussion on this particular aspect of the matter because it is clause 3 which seeks to impart immunity to the protected category of the 9th schedule containing a large number of enactments which are irrelevant and pointless.

It has been said by the hon. Law Minister that it was improper originally to have included the law relating to talukdaris in Gujarat and so, eventually, it was omitted from this inventory. But the same principle applies to the Gujarat Surviving Alienations Abolition Act because here again Government is seeking to supplant and deny a vested right for compensation that has accrued after the land reforms. It has nothing to do with land reform, directly speaking, but seeks to deny rights which have already accrued. It is really to legislate in a manner which is repugnant to all known canons of jurisprudence. It is, therefore, that I and my hon. friend Shri A. P. Jain were induced to give notice of amendment No. 10. I have moved for the deletion of this whole Act from the inventory of legislation. I have also moved a more restricted amendment No. 10 along with Mr. Jain. This illustrates the thoughtless approach that the Government have followed in the matter of legislation, even constitutional legislation.

The other is the category of legislation which has been declared to be null and void by the various courts in the country. In this clause falls legislation such as the Madras Land Reforms Act and the Kerala Land Reforms Act.

**16.41 hrs.**

[MR. SPEAKER *in the Chair*]

I had raised the question specifically as to how the Law Minister could possibly substantiate his claim that it is a land reform to create an artificial definition of family. A large number of legislative enactments sought to be included in the list have been struck down by various courts because of the artificial definition of family which they seek to bring in. In this category comes the Madras Land Reforms Act, which came up for adjudication before the Supreme Court recently. The Supreme Court found that it was in transgression of the rights of legislation that this piece of legislation was enacted. As a matter of fact, it is quite evident that the definition of a family, which discriminates between equal members of a natural family and brings into existence artificially an irrelevant definition of family is not land reform. The Supreme Court relied on an illustration which I had occasion to cite before the House earlier also. They said, in a case where 300 acres of land had to be divided between the father and two major sons and two minor sons,

[Dr. L. M. Singhvi]

the major sons would each get 30 acres of land, whereas the minor sons and the father all told would get only 30 acres of land. Why should the Government wish to enact into the body of this law this discrimination which is entirely pointless and unrelated to any objectives of land reform?

The Law Minister was pleased to give a very lame and untenable excuse for the artificial definition of family contained in several enactments. He had said that there are in law various definitions of family which have to be taken into account. He was unable to show how, when the Supreme Court had struck down as a discriminatory piece of legislation a definition which was unrelated to any objective of land reform, Government feels impelled to over-ride the verdict of the Supreme Court in this undemocratic and unconstitutional manner.

My esteemed friend, Mr. Chatterjee, when he spoke on the general discussion, said that it ran counter to the spirit of the Constitution. He said it was a fraud on the Constitution and a constitutional amendment which seeks to over-ride the verdict of the Supreme Court to the effect that a particular piece of legislation is contrary to fundamental rights and transgresses the fundamental rights is to perpetrate a second fraud. I hope Government would very carefully consider whether it can really justify to the country at large and to its own conscience whether such an artificial definition of family, which is the basis for the courts to strike down these enactments is really germane to its programme of land reform. The Law Minister has relied upon certain cliches and shibboleths. He said this legislation is intended to bring about the long-cherised revolution in our land system; he claims that this is to distribute the land to the landless and to impart to our economy a democratic basis. I seriously, strenuously and vehemently refute this claim made by the Law Minister who, I suppose, does not quite realise that such a definition of family demonstrably is counter to any conception of law or conception of land reform. Why should you create discrimination between brother and brother, between a major son and a minor son, a minor son who is going to become a major son? It is beyond rational consideration or legal consideration and to explain and justify such a provision would be an impossible task.

There is another category of legislation which has never been challenged in any court of law. The whole body of legislative enactments which have never been challenged in a court of law and of which we do not know what kind of challenge is possible to offer are also being sought to be protected. I am personally not opposed to a rational well-considered programme of land reform. But the Planning Commission has not even made a proper and comprehensive study, the Government is not in possession of reliable and dependable data and yet the Law Minister comes forward to seek our assistance to protect legislation which has nothing to do with land reforms and which has never been challenged in a court of law, to which we do not even know what kind of challenge might be offered. To place under the protective constitutional umbrella a whole body of legislation without telling us why it is that it has become necessary for the Government to protect those enactments is also, I think, a travesty of constitutional principles which we have accepted in this country.

The third category is a category of legislation which is not strictly related to land reforms as such. Even remotely speaking the relationship is very tenuous and untenable. It seems that an instance was cited before this House, the instance of the Mysore Village Officers Act. Whether the vilage officers continue to exist or their offices are abolished is not important or relevant to the programme of land reform. The Law Minister

has nothing to say to any of these objections and yet with a characteristic sweep and flourish he wishes to claim that this legislation is going to redeem the pledge that his party gave to the country to put the tiller of the soil on a sound economic footing.

**Shri Bade:** The Supreme court has passed a stay order in this case.

**Dr. L. M. Singhvi:** This is the fourth category of cases in which matters are *sub judice*, matters are pending a court of law, and yet the Government feels called upon to protect them. In the class of legislation which is unrelated to any programme of land reform is the legislation relating to the entire revenue court or the entire tenancy law. Is it not unfair and unworthy of an organised government to come before Parliament to give protection to that whole body of legislation, without telling us as to what provisions of the particular piece of legislation it is necessary to protect? The Law Minister is only making an exercise in an irrational, partisan advocacy of a measure which he cannot otherwise defend or support. It is really, as I said earlier, an affront to our intelligence, an insult to this Parliament, that the Law Minister wishes this legislation to be enacted without even telling us the detailed reasons which impelled him and which justified him in the belief that the extension of the constitutional protection to them is necessary. Without such a rational explanation, without a comprehensive answer, without proper, reliable and dependable statistics and a blueprint of the programme that the Government wishes to translate into action, it is hardly justifiable for the Government to come before this Parliament and ask it to legitimatise that which is illegitimate, to validate an offspring who is illegal *ab initio*.

I hope that the Minister, on whom the onus is cast, will come before this House even at this stage, because this



is the only stage when he could justify each piece of legislation that he seeks to protect and he should given the reasons why it is necessary to protect that particular piece of legislation. I for one would be satisfied if he could demonstrate to this House, to any reasonably prudent man that a particular piece of legislation is germane to a programme of land reform.

For him and for the Government, for an organised government, to come before this House to give a wholesale catalogue of legislation either at the behest of the State Governments or at the orders of the Planning Commission is really a travesty of the parliamentary process. What then is left to us here?

Acharya Kripalani, an esteemed leader of this country, pointed out a very important consideration, that is, that in passing and considering this Constitution (Amendment) Bill we really do become a Constituent Assembly and to Parliament, as indeed to a Constituent Assembly, the Government at least owes this much that it must explain and give its reasons; it must try to convince and persuade. Democracy will come to naught if reason and fairplay is abandoned and is given the go-by. I hope, the Law Minister will at least perform his duty to this minimum extent by giving a detailed, satisfactory, convincing explanation in respect of each piece of legislation which, it is his wish, should be included in this list to be appended to the Constitution.

**Shri C. K. Bhattacharyya** (Raiganj): Sir, of course, I do not want to stand in anybody's way, but it is for you to consider whether arguments improve by repetition.

**Shri Bade:** There is no repetition.

**Dr. L. M. Singhvi:** There is no reply that Government has ever been able to give.

**Shri Kashi Ram Gupta:** Mr. Speaker, Sir, while taking steps to include Acts in the ninth Schedule Government should lay down some policy on the basis of which they could do so. This Government, unfortunately has no basic policy on which to depend. It is borne out by the fact as to how they have been moving in the matter.

In the initial stage they included 124 Acts and the Law Minister pleaded for the inclusion of all the 124 Acts without going into any one of them. At that time he tried to plead in such a way that it was very necessary to include all those 124 Acts. If, somehow, there had not been any proposal to constitute a Joint Committee what would have been the fate of that? All the 124 Acts would have been included therein.

Later on, at the stage of the Joint Committee 88 Acts were withdrawn. When we questioned as to on what basis they were being withdrawn, no reply was given. Most of the remaining Acts that are there are similar to those that have been withdrawn. So, this particular aspect of the question shows how the Government is moving in the matter. They only wanted either to please some States or to save their own face. Because something has been done, so something must be included there. If one goes into the Acts which have been included there, one would find that not a single Act can be there for inclusion. I ask the hon. Members of the ruling party—they are going to vote for all these Acts which have been included in the Schedule—whether they have studied some of them.

**Shri U. M. Trivedi:** No.

**Shri Kashi Ram Gupta:** If they have studied some of them, let them come out with their own views. Even in the Joint Committee I saw that hon. Members were hesitating to study things there.

**Shri C. K. Bhattacharyya:** We studied much more than all of you put together.

**Shri Kashi Ram Gupta:** I will state a few more points. There are Acts which have been included which are going to expire in 1965. The Madras Occupants of Kudiyiruppu (Protection from Eviction) Act, 1961, the Madras Cultivating Tenants (Payment of Fair Rent) Act, 1956 and the Madras Cultivating Tenants Protection Act, 1955 are some of those Acts which have never been challenged up till now and which are going to come to an end in 1965.

**An Hon. Member:** They might be extended.

**Shri Kashi Ram Gupta:** What is the use of having such Acts included in the Ninth Schedule. Because there is no basic policy formed, this is the result.

Then, there are such Acts which are contrary to the Land Ceiling Act itself. I shall cite the Gujarat Agricultural Lands Ceiling Act, 1960. There they have included a clause where the land of a person can be acquired compulsorily for that purpose. I do not understand how a Government which says that they are for land tenures can put such a clause in the Act.

Then, there is the Maharashtra Agricultural Land Ceiling Act, a part of which has been turned down by the High Court. The Maharashtra Agricultural Land Ceilings Act is there. This Act is quite different from other Acts of all other States. All the other States have exempted sugarcane-forms from ceilings. But this is a State which has not exempted sugarcane-forms from ceilings. When the Planning Commission have given a sort of a directive, I fail to understand how this Government tries to include the Act which is against the directive of the Planning Commission. These are some of the examples.

Further, there is the West Bengal Estates Acquisition Act. It is very peculiar that even the lands regarding

mining leases have been included in it. After all, the mining leases have nothing to do with land reforms. If the Government is satisfied that they have to bring in a law for it, they can enact the law differently and quite separately for those purposes. But they have included such Acts also in this legislation.

Then, finally, I quote an example of the Gujarat Agricultural Taluqdari Abolition Act which has been withdrawn. There are certain Acts similar to them which are there. The Madhya Pradesh Land Revenue Code which has never been challenged and which is not expected to be challenged either has also been included here. Seven years have passed now. The Government has slept for seven years. Why is the Government taking up this step now? While we were discussing all these matters, another list of 8 new Acts was added which was never provided to this House. This shows how Government is working. If those States could not send their Acts at proper time, why should the Government accept them at a later stage? The result was that we had to call for fresh evidence and a lot of time of the Joint Select Committee was spent on these discussions.

There are so many defective laws which are going to be protected. My last amendment No. 30 that I have moved is:

"Page 5,—

*after* line 22, *insert*—

Provided that the respective States get these Acts removed from the list of this Schedule, within a reasonable time, after amending these Acts in the light of various courts decisions in regard to these Acts or changes made in unchallenged Acts on the basis of such decisions, except where the question of amendment does not arise on either basis."

Therefore, my request to the Law Minister is that he should be very considerate. A mistake has been made. This action taken is itself a mistake and if he wants to rectify that mistake the only way is that he should ask the State Governments concerned to get their Acts amended and get them removed from this list. It does not look nice at all. It looks very ugly. It is the State Governments who because of their own weaknesses have not been able to have their Acts according to the Constitution. The other day I read an article in the papers by Shri Santhanam and he has said that the real way would have been that the Central Government should have directed the State Governments to fall in line with legal and constitutional ways of the Constitution. They should not violate the Constitution. All these Acts are the result of violating the Constitution and hence the whole problem has arisen. Therefore, it is not worthwhile to include these Acts in the list. If they want to include these Acts—they are going to do it now by means of the whip that they have got—the proper way of protecting the Constitution and respecting the Constitution is that they should direct the State Governments to rectify their mistakes within a reasonable time. Otherwise, this will show that they have done this only on whimsical grounds and on no other grounds.

**17 hrs.**

**Mr. Speaker:** Now, Shri A. P. Jain.

**Shri P. K. Deo:** It is already past 5 p.m.

**Mr. Speaker:** I know that. Therefore, I would like to know the pleasure of the House. If the House could sit for a few minutes more, then other Members who want to speak could also speak.

**Some Hon. Members:** No, we are not prepared to sit.

**Mr. Speaker:** I have heard this already that We are not prepared to

sit'. But my request would be this. The non-official Members who have to speak for or against the clause, may get the opportunity today, and the hon. Minister might reply tomorrow.

**Shri P. K. Deo:** No.

**Mr. Speaker:** We could sit for a few minutes more and at least we may conclude the discussion on these amendments. The hon. Law Minister can reply tomorrow.

**Some Hon. Members:** Yes.

**Shri U. M. Trivedi:** Even if we sit for half an hour more, we shall not be able to conclude the discussion. It will take longer than that.

**Mr. Speaker:** Let us sit for half an hour more. If the discussion could not conclude, certainly, it will be carried over to the next day.

**Shri U. M. Trivedi:** Even 1 hour will not be enough.

**Shri Ranga:** We have already been through a lot of emotional stress and strain, and we cannot sit any longer today.

**Shri Surendranath Dwivedy:** It does not matter; this half an hour can be provided tomorrow. Anyhow, we are meeting tomorrow.

**Mr. Speaker:** All right; if that is the desire of the House, then I have no objection.

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**71.01½ hrs.**

## BUSINESS ADVISORY COMMITTEE

### TWENTY-EIGHTH REPORT

**Shri Rane** (Buldana): I beg to present the Twenty-eighth Report of the Business Advisory Committee.

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**17.01 hrs.**

*The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, June 2, 1964/12 Jyaistha, 1886 (Saka).*

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GMGIPND—LS I—758 (Ai) LSC—13-6-64—967.